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# **STORMWATER POLLUTION PREVENTION PLAN**

## **TA-03-38 Metals Fabrication Shop**

Los Alamos National Laboratory

A requirement of the  
NPDES MULTI-SECTOR GENERAL PERMIT  
#NMR053915 (LANS)  
for Storm Water Discharges Associated with Industrial Activities

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Revision 3: January 2018

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**PREFACE**

This Storm Water Pollution Prevention Plan (SWPPP) was developed in accordance with the provisions of the Clean Water Act (33 U.S.C. §§1251 et seq., as amended), and the Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity (U.S. EPA, June 2015) issued by the U.S. Environmental Protection Agency (EPA) for the National Pollutant Discharge Elimination System (NPDES) and using the industry specific permit requirements for Sector AA-Fabricated Metal Products as a guide. The applicable stormwater discharge permit is EPA General Permit Registration Number NMR053915 (Los Alamos National Security (LANS) (U.S. EPA, June 2015). Contents of the June 4, 2015 Multi-sector General Permit can be viewed at: [https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_finalpermit.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_finalpermit.pdf)

This SWPPP applies to discharges of stormwater from the operational areas of the TA-03-38 Metals Fabrication Shop at Los Alamos National Laboratory. Los Alamos National Laboratory (also referred to as LANL or the “Laboratory”) is owned by the Department of Energy (DOE), and is operated by Los Alamos National Security, LLC (LANS). Throughout this document, the term “facility” refers to the TA-03-38 Metals Fabrication Shop and associated areas. The current permit expires at midnight on June 4, 2020.

A copy of the facility NOI and LANS Delegation of Authority Letter are located in Appendix C of this SWPPP.

## SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

### 1.1 Facility Description and Contact Information

The Metals Fabrication Shop (MFS) is located in Technical Area 03, Building 0038 (TA-03-38) at the southeast corner of West Jemez and Pajarito Road within Los Alamos National Laboratory, in Los Alamos County, New Mexico.

Facility Operator: Los Alamos National Security, LLC  
PO Box 1663 MS K490  
Los Alamos, NM 87545  
Phone: 505-667-0666

Facility Contacts: Holly Wheeler, MSGP Compliance Project Lead, EPC-CP  
Office: 505-667-1312  
Email: hbenson@lanl.gov

Jillian E. Burgin, MSGP SWPPP Inspector  
Deployed Environmental Professional (DEP), CISEC  
Office: 505-665-1893 or Cell: 505-309-1914  
Email: jburgin@lanl.gov

Other applicable facility data and contact information is provided in the facility NOI, which is located in Appendix C of this SWPPP. The NOI provides the coordinates of the facility and also a link to the online location where this SWPPP can be viewed.

### 1.2 Stormwater Pollution Prevention Teams

The TA-03-38 MFS is part of LANL's Utilities and Infrastructures (UI) Facilities Operations Directorate (FOD) with day-to-day management provided by the Logistics Division Central Shops (LOG-CS); which has established a Stormwater Pollution Prevention Team (PPT) whose members are responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions when required. All PPT members will have access to either a hard copy or an electronic version of this SWPPP. A list of PPT members along with duties and contact information is provided in Appendix A of this SWPPP.

#### Designation of Pollution Prevention Teams

The Stormwater PPT for the TA-03-38 MFS consists of operations and management personnel from the facility, a representative from EPC-CP, and a Deployed Environmental Professional (DEP). The EPC-CP representative is responsible for Laboratory compliance under the National Pollutant Discharge Elimination System (NPDES) permit regulations. The team members are selected on the basis of their familiarity with the activities at the facility and the potential impacts of those activities on stormwater runoff.

The specific duties of individual team members of the PPT are listed below and in Appendix A

- **Pollution Prevention Team Leader:** The Pollution Prevention Team Leader is identified in Appendix A of this SWPPP. The Team Leader or designated representative will assist EPC-CP and/or the DEP in performing routine inspections as described in Section 5.2 of this SWPPP. The Team Leader or designated representative will also ensure that the appropriate facility and other LANS personnel receive the training as specified in Section 3.8 of this SWPPP.

- Team Members: Other members of the team are responsible for the implementation of this SWPPP and the required periodic inspections, as described in Section 5 of this SWPPP. In the event of a spill or release, a team member will ensure that prompt cleanup occurs and will incorporate documentation of the spill and cleanup process into the Spill Tracking Table located in Appendix G of this SWPPP. Team members will also be selected to assist/represent the Team Leader in performing routine, annual and visual site inspections.
- EPC-CP Project Lead: Supports the facility and provides guidance associated with implementation of the compliance requirements identified in the 2015 MSGP. The EPC-CP Project Leader also acts as the institutional point of contact for all interactions with the regulatory authority (EPA) and supervises personnel that implement monitoring requirements for the facility.
- DEP: Responsible for SWPPP updates and conducting routine facility inspections and entering corrective actions into the Corrective Action Report (CARs) Database. The DEP is also responsible for tracking and updating the status of corrective actions that cannot be implemented immediately.
- All Members: All PPT members are responsible for being familiar with and implementing this SWPPP and for compliance with the 2015 MSGP.

### 1.3 Site Description/Industrial Activities

The industrial activities at this site may be classified under **Sector AA – Fabricated Metal Products**. The primary operation of the TA-03-38 MFS is to fabricate metal components for a variety of uses around the Laboratory. All metal fabrication at the shop is performed indoors.

Outdoor activities at the facility consist of:

- Metal storage in designated yard areas, metal pipe racks and metal-for-recycle bins
- Shop vehicle and equipment (i.e. forklift) parking
- Loading and unloading fabricated metal materials and associated products at the loading docks/bays and at the material storage yard.

Industrial activities and major structures at the facility are shown on the Site Map in Appendix B, Figure B-3.

The facility contains various shops: including a machine shop, sheet metal shop, pipe fitter's shop, and ironworker's shop (including high bay and low bay) that are housed in the northwest end of Building 38. Other operational areas associated with the facility include: loading docks on the west sides of Building 38, an enclosed storage area in Building 37- Room 106 used for storing machine oil, and outdoor metal storage areas and scrap metal bins located on the west and east sides of Building 38. The remainder of Building 38 houses Laboratory personnel in either office settings or shops that are not associated with this facility and its industrial activities.

### 1.4 General Location Map

The general location map for the facility can be found as Figure B-1 in Appendix B. Figure B-2 provides locations of all receiving waters associated with stormwater discharges from the facility.

### 1.5 Site Map

A site map provided in Figure B-3 illustrates the facility's activities: including property boundaries, structures, impervious surfaces, operational areas as well as information on drainage patterns, stormwater and erosion control structures, potential pollutant sources, and nearby receiving streams.

As required by the 2015 MSGP, the following information specific to the facility is shown either on the site map or with additional information provided in this SWPPP.

- **Site Boundaries and Acreage.** The site covers approximately 1.83 acres
- **Significant Structures and Impervious Surfaces.** The site is 100% impervious, primarily structures and paved lots.
- **Direction of Stormwater Flow and Site Drainage.** Direction of flow is indicated with arrows.
- **Locations of Structural Stormwater Control Measures.**
- **Locations of all Receiving Waters.** In the immediate vicinity of the facility, indicating if any of the waters are Impaired and, if so, whether the waters have TMDLs established for them (see paragraph below this list). A map of nearby receiving waters is provided in Appendix B-2.
- **Locations of all Stormwater Conveyances.** This includes all ditches, pipes, and swales.
- **Locations of Potential Pollutant Sources.**
- **Locations of Significant Spills or Leaks.**
- **Locations of all Stormwater Monitoring Points.**
- **Locations of Stormwater Inlets and Outfalls.** Of which each will require a unique identification code for each outfall (e.g., Outfall #002, etc), indicating if you are treating one or more outfalls as “substantially identical” and an approximate outline of the areas draining to each outfall.
- This facility is not associated with a municipal separate storm sewer system (MS4)
- **Areas of designated critical habitat for endangered or threatened species.** There are none in the direct vicinity of the facility. However, a map for threatened and endangered species within LANL property is included in Appendix B-4.
- There are no non-stormwater discharges at the facility (see certification in Appendix D)
- Locations of the following activities where such activities are exposed to precipitation:
  - fueling stations (none at this facility)
  - vehicle and equipment maintenance and/or cleaning areas (none at this facility);
  - loading/unloading areas;
  - locations used for the treatment, storage, or disposal of wastes;
  - liquid storage tanks (none at this facility);
  - processing and storage areas;
  - immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
  - transfer areas for substances in bulk;
  - machinery; and
  - locations and sources of run-on to your site:

## 1.6 Outfalls

Outfall #002: Consists of three grated drop inlets located west of Building 38 that discharge to a single corrugated metal pipe. Stormwater flows through the facility to the outfall where automated samples are collected. The discharge pipe runs south from the facility, through TA-03 and daylights east of Building 261.

### Substantially Identical Outfalls

Outfall #002 is the sole outfall for this facility. Discharge is to Sandia Canyon.

## SECTION 2: POTENTIAL POLLUTANT SOURCES

### 2.1 Potential Pollutants Associated with Industrial Activity

Most industrial activities at the TA-03-38 MFS occur indoors so materials are not exposed to stormwater. Potential stormwater pollutants associated with this facility involve materials stored outdoors: primarily finished or scrap metals or metal shavings with the possibility of containing residual cutting oils; and associated outdoor activities such as loading/unloading materials at shop bays and vehicle/forklift parking. Controls used for each potential pollutant are described in Section 3 of this SWPPP.

The primary metal storage yard (located on the southwest side of the outdoor lot) is enclosed with a chain link fence and locked gate. The metal storage yard contains five covered metal storage racks and a covered metal for recycle storage bin, which temporarily stores scrap metal. Large pieces of scrap metal are also stored within the metal storage yard on wooden pallets. This metal is kept covered with heavy-duty (28 mil.) tarps. Located on the north side of the outdoor lot there is also a covered garbage dumpster and covered cardboard recycle dumpster. A covered pipe storage rack is also located outdoors on the northwest side of the iron worker's shop that belongs to the pipe fitters. Machine oil is stored on secondary containment units within TA-03-37 Room 106, which is a fully enclosed storage building and is not exposed to stormwater. A second covered metal-for-recycle bin is located on the southeast side of Building 38, outside of the pipefitter's shop at Room 104, and is used to recycle metal scraps brought in from pipefitting and other fieldwork.

Vehicle parking is limited to areas adjacent to the north boundary fenceline and west of Building 38. Forklifts are parked inside and occasionally outside on the west end of Building 38. Loading docks and bays on the west and southwest side of the facility are primarily used to transport metal stock or finished metal products to and from the shop.

#### Activities in the Area exposed to Stormwater:

- **Metal Stockpile/Storage Yards (Covered Metal Storage Racks):** Potential pollutants include: metals exposed to precipitation (rust).
- **Covered Metal-for-Recycle Storage Bins:** Potential pollutants include: processed metal shavings, turnings, small metal scraps, and cutting oil residues (if leakage occurred from container).
- **Pipe Storage Rack (Covered Metal Storage Rack):** Potential pollutants include: metal pipe exposed to precipitation (rust).
- **Vehicle Parking:** Potential pollutants include: the leakage of fuel, oil, or hydraulic fluids.
- **Forklift Storage:** Potential pollutants include: the leakage of fuel, oil, or hydraulic fluids.
- **Trash & Cardboard Dumpsters:** Potential pollutants include: trash, debris, plastics, food and cardboard, which can get blown around the parking lot or carried out of the dumpster by birds or other wildlife.

#### Solid Waste Management Units (SWMUs)

There is one SWMU located within the facility boundary located at the southeast corner of the west (primary) metals storage yard. It is not included as part of the LANL NPDES or Individual Permit (IP) for SWMUs at the Laboratory covered under Sector K.

SWMU 03-013(i) consists of soil and gravel contaminated from historical releases of hydraulic oil at the former locations of Buildings 03-246 and 03-247, which were used to test the tensile strength of various steel

cables used in conjunction with underground nuclear test assemblies. The facility was constructed prior to 1967 and was operated until the mid-1980s when a replacement facility was constructed on Sigma Mesa. Building 03-246 was a corrugated metal building constructed on a concrete slab and contained the controls for the pull test equipment, as well as a hydraulic oil compressor and storage tank. Building 03-247 was a corrugated metal building constructed on a concrete curb surrounding a gravel floor and contains two hydraulic rams used to perform the tensile strength testing. Hydraulic oil was provided to the rams through underground pipes between Buildings 03-246 and 03-247. The contamination identified at SWMU 03-013(i) consisted of oil-stained soil around Building 03-246 and oil-stained gravel inside Building 03-247. At the former location of Building 03-246, hydraulic oil appears to have been released to the concrete slab floor inside the building and to have subsequently flowed beneath the building walls and onto the soil surrounding the building. Visible soil contamination existed along the north side of the building and along the northeast and northwest corners. The gravel floor inside Building 03-247 was visibly stained with oil in several locations beneath the hydraulic ram assembly.

NOTE: Both Buildings 03-246 and 03-247 were decommissioned and removed during the summer of 2004. While they are no longer present, SWMU 03-013 (i) was established to monitor and remediate spills that did occur while those two buildings were used to house test equipment.

SWMU 03-013(i) was not included in the 1990 SWMU Report or the OU1114 RFI Work Plan, but was discovered in 2004 during planning for the demolition of Buildings 03-246 and 03-247. Two samples of the oil-stained soil adjacent to the former location of Building 03-246 were collected by the Laboratory's Solid Waste Regulatory Compliance Group in 2004 and analyzed for inorganic chemicals, organic chemicals, PCBs, and total petroleum hydrocarbons (TPH). Four inorganic chemicals (cadmium, copper, lead, and zinc) were detected above BV, but below SALs. TPH was also detected, but no organic chemicals or PCBs were detected. Oil-stained soil was removed when the two buildings were demolished and confirmation samples were collected by the ER Project. This SWMU is being proposed for no further action (NFA) and is not a potential pollutant of concern in regard to the TA-03-38 MFS.

## 2.2 Spills and Leaks

### Past Spills and Leaks

Spills and leaks for the past 3 years (2014-2017) are listed below and spill reports can be found in Appendix G of the SWPPP. Spills and leaks that occurred prior to 2014 will be documented in previous SWPPP revisions.

Date	Description	Outfall(s) Affected
September 2015	The metals roll-off bin was being removed from the metal storage yard when it leaked a small amount of water mixed with cutting oil. EM&R responded and remediated the spill. The roll-off bin was removed from the yard.	None
October 2015	Powder from an inadvertent fire extinguisher discharge was found in the west parking lot area during a SWPPP inspection. EM&R responded and remediated the area.	None
October 2015	Approximately 10-20 gallons of water (with oil sheen) was released from the trench drain sump pump to the north side of the building. The water is normally discharged to prevent flooding to the pipe fitter's shop below. However, paving of the parking lot during the year caused an oily sludge to accumulate in the trench drain. The area was remediated with Microblaze and a Petro Plug (oil barrier) was installed on the pipe end to prevent oil from being discharged	None

	when the water is released. The trench drain was also cleaned out. The discharged water was contained to the upper north lot.	
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## Potential Spills and Leaks

**Table 1: Areas of Site Where Potential Spills/Leaks Could Occur:**

LOCATION	OUTFALLS (see site map)
Covered Recyclable Metal Scrap Storage Bin	#002
Vehicle Parking	#002
Forklift Storage	#002
Loading and Unloading Operations	#002
Machine Oil Storage Area, Bldg. 37, Rm. 106	Oil drums and containers are indoors and also on secondary containment – not exposed to stormwater.

In the event of any future spill or leak at any of the facility areas, a spill report, documenting the occurrence and the nature of the spill or leak, will be completed. The spill report will be filed promptly (in Appendix G) upon completion and documentation of the spill clean-up.

The probability of spills or releases at the facility is minimized by the application of good housekeeping procedures and appropriate operational methods. These operational procedures include drum dollies and drum grapples on the forklifts used for unloading and reloading operations. Spill containment and clean-up supplies are located in Room 125 of the TA-03-38 MFS and absorbent material for oil clean-up is located throughout the shop in metal containers.

Appropriate response measures for a spill or release of hazardous materials are applied when addressing spills. The specific spill response and cleanup procedures will depend on the nature of the spilled material. Specific response techniques for spills involving all water priority chemicals will be performed as required by section 8.AA.2.2 of the 2015 MSGP. Specific spill response and reporting procedures for LANL are listed in Section 3.4 of this SWPPP.

## 2.3 Non-Stormwater Discharges Documentation

Except for flows from fire-fighting activities, sources of non-stormwater that are combined with stormwater discharges associated with industrial activity will be identified in the SWPPP.

Non-stormwater discharges are also identified in the “Non-Stormwater Discharge Assessment and Certification” in Appendix D. This form certifies that all stormwater outfalls have been evaluated for the presence of non-stormwater discharges. This form will be updated whenever a change in possible non-stormwater discharge is determined.

There are no NPDES permitted non-stormwater discharges or unpermitted outfalls associated with the facility. Potential sources of non-stormwater discharges at the facility include the testing of fire hydrants in the area. All floor drains within the shop are routed to the sanitary sewer.

Fire hydrant testing is performed periodically on hydrants servicing the facility. The hydrants are located at the corner of Pajarito and West Jemez Roads, at the corner of Pajarito and Parry Roads, on Parry Road adjacent to TA-03-1518, and at the fence line east of TA-03-38. All of these hydrants are located outside of the facility boundary and are therefore not considered sources of non-storm water discharge.

## **2.4 Salt Storage**

No salt storage or piles containing salt are present at the facility. There is no salt storage anticipated for this facility as part of an industrial activity.

## **2.5 Sampling Data Summary**

Sampling of stormwater runoff from the facility is currently performed by the EPC-CP, Water Quality and Stormwater Group. Samples are collected at an automated monitoring station **MSGP00201** located adjacent to and west of TA-03-38 at Outfall #002. All sampling requirements for the facility are listed in Section 4.6.3 of the SWPPP.

Results from sampling data and Monthly Discharge Monitoring Reports (MDMRs) for the current permit term (MSGP 2015) will be kept on file in Appendix H of this SWPPP. Sampling data from the previous permit term (MSGP 2008) are provided in Appendix H1.

A sampling data summary of the current permit term is also provided below:

### **2017**

#### **Benchmark Monitoring:**

Outfall 002: The average concentration was mathematically certain to exceed the benchmark for Iron. The average of four quarterly monitoring values exceeded the benchmark for Aluminum.

#### **Impaired Waters Monitoring:**

Outfall 002: On 4/04/17 the sample exceeded the New Mexico Water Quality criterion for Dissolved Copper and Adjusted Gross Alpha.

#### **Discontinued Monitoring:**

Outfall 002: Benchmark monitoring for Nitrate plus Nitrite Nitrogen (NO<sub>3</sub>+NO-N) was discontinued.

### **2016**

#### **Benchmark Monitoring:**

Outfall 002: The average concentration was mathematically certain to exceed the benchmark for Iron and Aluminum. The average of four quarterly monitoring values exceeded the benchmark for NO<sub>3</sub>+NO-N and Zinc.

#### **Impaired Waters Monitoring:**

Outfall 002: On 4/19/16 the sample exceeded the New Mexico Water Quality criterion for Dissolved Copper.

#### **Discontinued Monitoring:**

Outfall 002: Impaired waters monitoring for Total Aroclors (PCBs) and Thallium was discontinued.

## SECTION 3: STORMWATER CONTROL MEASURES

### 3.1 Minimize Exposure

Control measures at the facility are designed to minimize the potential for spills, releases, exposure of materials, or any other events that could adversely affect the quality of water and sediment that may be transported out of the area by stormwater runoff.

Proper material management and storage minimize the potential for exposure of precipitation and runoff to potentially hazardous materials. Containers that could be susceptible to spillage or leakage will be plainly labeled (e.g., "Used Oil," "Spent Solvents," etc.). Most operations and storage areas are located within structures, so that the potential for exposure of stormwater to potential pollutants is limited to the outdoor metal storage areas, vehicle and forklift parking areas, and loading areas. Adequate secondary containment is provided for outdoor storage units containing potentially hazardous materials. Heavy equipment repair and maintenance is performed offsite. Metal cutting and fabrication activities occur inside.

#### Specific Structural Controls Description:

- **Covered Metal-for-Recycle Storage Bins**  
Metal shavings, turnings, and scraps are stored inside covered roll-off bins which are emptied (for recycling) on a routine basis.  
  
**Covered Metal and Pipe Storage Racks:** Metal scrap, pipe and finished/fabricated metal parts are stored on elevated racks to prevent direct contact with stormwater runoff. Where it is not feasible to store metal materials on covered racks (due to size, weight, etc.), the metal is stored off-ground on pallets and covered with sturdy, 28 mil tarps that are manufactured to last 25 years.
- **Spill Control:** Parking areas are frequently inspected for leaks and checked during monthly inspections. Oil absorbent is available in the MFS for containment if needed. Forklifts are parked inside on most occasions to reduce the potential for exposure to stormwater. Maintenance on forklifts is performed off site at the Heavy Equipment shop.
- **Petro-Pipe Oil Barrier:** The Petro-Pipe oil barrier is installed at the end of the drain pipe that discharges excess stormwater from the trench drain/sump pump outside of the pipefitter's shop. The Petro-Pipe prevents any oil (that may be accumulated in the trench drain) from being discharged to the parking lot. Pumping of the trench drain is required in order to prevent flooding of the adjacent shop. The Petro-Pipe is removed during winter months to prevent damage from inclement weather, snow removal and vehicle traffic.
- **Asphalt Berming (Run-on Control):** The asphalt berming along Bikini Atoll Road and West Jemez Road prevents stormwater run-on to the site from adjacent roadways.
- **Lids and Side Enclosures for Trash Dumpsters & Cardboard Recycle Bins:** Trash dumpsters and cardboard recycle bins (adjacent to the facility) are normally kept closed when not in use and dumped on a regular basis. Dumpsters will be kept in good condition and will be repaired or replaced if needed by Roads & Grounds.
- **Metalloxx Wattles:** These wattles are used to filter out metal residuals in stormwater runoff. There is currently a wattle located in the grated drain sump of Outfall #002 and at the SE corner of the metal storage yard. Other wattles may be added as needed in 2017.

## **3.2 Good Housekeeping**

Good housekeeping practices specifically applicable to the prevention of stormwater contamination include the following measures:

All site areas exposed to precipitation are walked down during monthly inspections to ensure that the grounds are kept in an orderly condition. The outdoor metal storage areas are inspected to ensure all pipe is off the ground on storage racks, large scrap metal is elevated and stored on pallets or contained inside a recycling bin and small scrap metal including shavings and turnings are contained inside a covered recycling bin. Vehicle and forklift parking areas are inspected for leaks or spills and the entire site areas including the loading areas are inspected for floatable debris, garbage, waste and all other potential pollutants. The metal for recycle bins are monitored by facility personal and emptied for recycling on a routine basis. The roll-off bins will be kept covered when not in use. Trash dumpster lids should be kept closed when not in use. Dumpsters will be emptied on a weekly or as-needed basis by Roads and Grounds. The west parking area will be swept monthly (except when not possible during winter months) to reduce sediment accumulation on site. Spill clean-up procedures will be followed as listed in Section 3.4 of this SWPPP.

## **3.3 Maintenance**

Control measures at the facility will be kept in effective operating condition. If control measures need to be replaced or repaired, necessary modifications will be made according to the timelines specified in the Corrective Action requirements of Section 5.4 of this SWPPP. Documentation of maintenance and repair of control measures (BMPs) will be kept on file in Appendix J of the SWPPP. Deficient items identified during monthly or other routine facility inspections will be documented on the inspection forms and must be corrected within the same time frame as noted above.

The PPT Leader is responsible for ensuring that any maintenance or repairs associated with a deficiency or opportunity for improvement, including any regular or scheduled maintenance (such as the removal of debris) are promptly and adequately performed. Any necessary changes to operational procedures or structural features must be implemented in a timely manner before the next rain event.

Structures used for management of stormwater and sediment at the facility include the asphalt swale and rock lined channel along the eastern boundary, and the grated subsurface drains indicated on the site map. These controls are inspected to ensure that they are not obstructed by debris and that any maintenance or repair of the structure must be performed promptly and adequately before the next rain event.

Facility personnel are responsible for the performance of routine maintenance on process equipment used inside the facility. Absorbent pads or material is placed under machinery leaking oil. Malfunctioning machinery is immediately taken out of service until repairs can be made.

## **3.4 Spill Prevention and Response**

Spill Prevention consists of: Spills, leaks, or releases that are minimized by the application of good housekeeping procedures, best management practices (BMPs), and engineering and administrative controls. Examples of these measures include storing equipment with drip pans, and inspecting regularly for leaks. Containers that could be susceptible to spillage or leakage will be plainly labeled (e.g., "Used Oil," "Spent Solvents," etc.) to encourage proper handling and facilitate rapid response if spills or leaks from these containers should occur. Spill cleanup materials (absorbent pads) are located in Room 125 at the TA-3-38 MFS and absorbent material for shop oil cleanup is located in metal containers throughout the shop.

In general, the approach to spill cleanup is to secure the spill area and contact the Operations and Maintenance Coordinator (OMC) and/or the Security and Emergency Operations (SEO) Emergency Management & Response (EM&R) Team (if necessary). For incidental releases, absorbents are used to pick up free liquids and the contaminated absorbents are properly disposed.

The SEO or Facility Duty Officer shall report all spills or releases. All uncontrollable spills or releases must be reported to the SEO/EM&R Office or Facility Duty Officer by calling 667-6211 or, after hours, at 667-7080. If fire or explosion is present, or if the potential for such exists, the situation must be reported by dialing 911 from a non-cellular phone or by activating a fire pull box. In the event of a spill, the SEO/EM&R Office will determine appropriate cleanup procedures and will notify the individuals or organizations responsible for completing spill reports or fulfilling regulatory reporting requirements.

Spills are reported to EPC-CP for documentation and reporting purposes. The completion of a spill report (form provided in Appendix G-1) is required in the event of a spill. The spill report will be submitted to EPC-CP personnel and handled according to internal spill record keeping procedures. Spills may be "reportable" (requiring external agency notification) depending on the nature of the spilled material and the location of the release. External agency notification may consist of verbal or written notification to the National Response Center, Environmental Protection Agency Region VI, or the New Mexico Environment Department (NMED). The determination for the type of reporting will be made by the SEO/EM&R Office, FOD and EPC-CP in accordance with Laboratory and DOE policies and federal and state regulatory reporting requirements. Copies of internal spill reports are maintained by the responsible organization. If an un-reportable spill occurs it will be documented in the spill log in Appendix G.

Additional EPC-CP procedures (documents provided in Appendix L) for spill reporting and response include:

- ENV-CP-QP-007, Spill Investigations:  
<http://int.lanl.gov/training/v-courses/41819/41819.pdf>; and
- ENV-DO-QP-101.3, Environmental Reporting Requirements for Releases or Events:  
<http://int.lanl.gov/training/adesh/42415/42415.pdf>

### **3.5 Erosion and Sediment Controls**

The entire outside surface region associated with the facility, except for small plots of grass adjacent to the buildings, is paved with asphalt and concrete; therefore, erosion and sediment transport is unlikely. An asphalt swale and rock lined channel located along the east boundary fence manage structural runoff and reduce the potential for slope erosion in that area. An asphalt berm along Bikini Atoll Road and West Jemez Road prevents run-on to the facility from adjacent roadways. Sweeping of the west lot at the facility will generally be performed monthly (under the annually submitted Facility Service Request) except during winter months when weather conditions do not permit. Regular sweeping reduces sediment accumulation on site and transport of associated pollutants.

### **3.6 Management of Runoff**

The majority of stormwater runoff from outdoor activity areas at the facility is captured by one of 4 grated storm drains located on site. In the event of a stormwater backup at the grated (trench) drain west of the pipefitter's shop, a sump-pump will discharge stormwater inside the facility, along the north fence line and adjacent to West Jemez Road. This is necessary to prevent the pipefitter's shop from flooding.

Run-on from offsite parking flows east into the on-site grated storm drains, which are located on the west side of Building 38. As a result of grading modification, parking lot runoff does not impact the southwestern portion of the metal storage yard.

All subsurface drains are positioned correctly to capture storm water runoff from all activity areas including: metal storage, pipe storage, forklift, and vehicle parking. All subsurface drains are grated and inspected for obstruction during monthly inspections. All onsite and offsite storm drains at the facility connect to a common storm system and common outfall which daylight into a tributary of Sandia Canyon.

See site map in Figure B-3, Appendix B or Outfall information provided in Sections 1.5 and 4.2 of this SWPPP for more detailed information on drainage patterns and control measures associated with this facility.

### 3.7 Salt Storage Piles or Piles Containing Salt

No salt storage or piles containing salt are present at the facility. There is no salt storage anticipated for this facility as part of an industrial activity.

### 3.8 Dust Generation and Vehicle Tracking of Industrial Materials

The entire outside surface region associated with the facility, except for small plots of grass adjacent to the buildings, are paved with asphalt and concrete. Therefore, dust generation at the facility is minimal and dust suppression is not required. All metal cutting and fabrication activities occur inside. Metal scrap and shavings are put into a transfer bin inside the machine shop and is then taken outdoors to the metal scrap bins for recycling. The facility PPT member is responsible for making sure the outdoor ground areas (especially around scrap metal bins) are generally free of metal scraps and shavings and that tracking of raw, final or waste materials are enforced.

### 3.9 MSGP Sector-Specific Non-Numeric Effluent Limits

Part 8 of the 2015 MSGP identifies sector-specific requirements for **Sector AA – Fabricated Metal Products** in addition to the numeric limits outlined in this Section. The facility must comply with requirements associated with the primary industrial activities described in Section 1.3 of this SWPPP and any co-located industrial activities as defined in Appendix A of the 2015 MSGP. The sector specific requirements only apply to those areas of the facility where the sector-specific activities occur.

The following Sector-Specific Non-Numeric Effluent Limits are addressed at this facility:

- **Raw Steel Handling Storage:** The majority of handling and all fabrication/processing occurs inside the metal fabrication shop. All shavings, turnings, and iron dust resulting from fabrication activities are contained in receptacles below each piece of machinery. Receptacles are emptied into bins located throughout the fabrication shop. Metal shavings from full bins inside the shop as well as larger metal scraps are emptied into the outside covered metal-for-recycle bins located in the northwest fenced yard. Scrap metals from pipefitter and other miscellaneous fieldwork are placed in the covered metal-for-recycle bin located outdoors at the east side of the pipefitter's shop at 3-38, Room 104. Excess piping and other metals are either placed on covered elevated racks or on pallets covered with tarps in the northwest metals storage yard or on the covered pipefitter's racks on the north side of the facility. No wastes are disposed on site.
- **Metal Fabricating Areas:** All areas are enclosed and maintained daily to ensure all shaving, turning, and iron dust is contained. Areas around all machinery are swept and inspected daily for spills. Oil absorbent for dry clean-up is readily available in the event of leakage, and all hydraulic shear and rolling machines are equipped with equipment shields.
- **Storage Areas for Raw Metal:** The outside metal storage areas including the covered metal storage racks inside the metal storage yard, northwest metal storage area, and the covered pipe storage rack are maintained in a neat, orderly state. Raw metal shavings and turnings stored outside are contained inside the covered roll off which is emptied offsite. Raw metal shavings and turnings stored inside are contained in proper receptacles and spill kits are labeled and readily accessible.
- **Metal Working Fluid Storage Area:** Cutting and drilling oils used at the facility are stored in Building 37, Room 106. The room is fully enclosed and drums are additionally stored within secondary containment. There is no exposure of this area to stormwater.

- **Cleaners and Rinse Water:** All rinse water and cleaners are located or stored inside to prevent stormwater contamination. Floor drains have either been closed or rerouted to the sanitary sewer system.
- **Lubricating Oil and Hydraulic Fluid Operations:** All operations occur inside to prevent stormwater contamination. In the case of temporary outdoor storage, secondary containment will be utilized for lubrication oils in 55 gallon drums. Metal-for-recycle bins are covered to prevent stormwater from contacting metal shavings containing cutting oil residues.
- **Chemical Storage Areas:** Any chemicals (including paints) used in the shop are kept stored indoors and inside of flammable cabinets if necessary. Chemical items are labeled appropriately and are inventoried annually through LANL's Chemlog (barcode) tracking system.
- **Spills and Leaks:** A detailed description of spill prevention and response procedures is included in section 3.4. The probability of spills or releases at the facility is minimized by the application of good housekeeping procedures and appropriate operational methods. Operational procedures include drum dollies and drum grapples on the forklifts used for unloading and reloading operations.

### 3.10 Numeric Effluent Limitations Based on Effluent Limitations Guidelines

The TA-03-38 MFS is classified under **Sector AA-Fabricated Metal Products** and does not meet the industrial category requirements for effluent monitoring as listed in Part 2.1.3 (*Table 2-1 Applicable Effluent Limitations Guidelines*) of the 2015 MSGP. Benchmark monitoring is performed at the facility and those requirements and parameters are listed in Section 4.6 of this SWPPP.

### 3.11 Water Quality Based Effluent Limitations and Water Quality Standards

#### Impaired Receiving Waters/TMDLs

Impaired waters monitoring is performed annually at the facility as listed in Section 4.6.3 of this SWPPP.

The TA-03-38 MFS Outfall #002 discharges to Sandia Canyon. Certain stream reaches within Sandia Canyon have been identified as impaired waters by the NMED Surface Water Quality Bureau (SWQB). According to the 2014-2016 State of NM Clean Water Act 303b/305b Integrated Report and Final List of Assessed Surface Waters, pollutants causing the impairment are listed as: *Gross Alpha, adjusted; Aluminum, PCB in water column; Copper, and Thallium, dissolved*. Primary potential pollutant sources have been identified as post development erosion/sedimentation and urban runoff (NMED 2014). TA-3-38 MFS operations do not involve the impaired water pollutants of concern. EPA has not yet approved or established TMDLs for Sandia Canyon.

## **SECTION 4: SCHEDULES AND PROCEDURES**

### **4.1 Good Housekeeping**

All site areas exposed to precipitation, including outfalls, will be walked down during monthly inspections to ensure that the grounds are kept in an orderly condition. All areas will be inspected for floatable debris, garbage, waste and all other potential pollutants. Trash and debris will be picked up and disposed of in the covered trash dumpster.

The cardboard recycle and trash dumpsters will be emptied weekly or as-needed by Roads & Grounds personnel.

The outdoor metal storage areas will be inspected (weekly and monthly) to ensure all piping is off the ground on storage racks, large scrap metal is elevated and stored on pallets or contained inside a recycling bin and small scrap metal including shavings and turnings are contained inside a covered recycling bin.

The metal-for-recycle bins will be removed from the facility and emptied at the Metal Recycling Facility (MRF) once they become approximately 3/4 full.

The west parking area will generally be swept monthly (except when not possible during winter months) to reduce sediment accumulation on site.

See also Section 3.2 of this SWPPP.

### **4.2 Maintenance**

Metal-for-recycle bins will be inspected monthly (and when used). If bins or covers need repair or replacement, they will be taken to the Heavy Equipment shop for appropriate maintenance.

Forklifts will be inspected monthly for leaks and will be taken to the Heavy Equipment shop for maintenance if repairs are needed. Drip pans or absorbent pads/materials will be immediately placed under leaking vehicles until repairs can be made. See also Section 3.4 of this SWPPP.

The heavy duty tarps are inspected monthly (and when used) and will be replaced if found to be torn or defective. An additional supply of the tarps will be kept in stock for replacements.

The Petro-Pipe oil barrier will be removed during winter months to prevent damage from inclement weather, snow removal operations and other vehicle traffic. Manufacturer specifications will be followed for filter replacement.

The Metallox wattle in Outfall 002 storm drain will be replaced three times during the year: on or by April 1, July 1, and October 1. The outfall sump will also be cleaned out accordingly.

See also Section 3.3 of this SWPPP.

### **4.3 Spill Prevention and Response Procedures**

See Section 3.4 & 4.2 of this SWPPP.

### **4.4 Erosion and Sediment Control**

The west parking area will be swept monthly (except when not possible during winter months) to reduce sediment accumulation on site. The parking lot area and Outfall #002 will be evaluated during monthly inspections for degradation and sediment accumulation. See also Section 3.5 of this SWPPP.

## **4.5 Employee Training**

Employee training is essential to effective implementation of the SWPPP. The goals for the training program are to ensure that employees are more capable of preventing spills, responding safely and effectively to an accident when one occurs, and recognizing situations that could lead to stormwater contamination.

Per section 2.1.2.8 of the 2015 MSGP, training relevant to the SWPPP is required for all operational workers at the facility who work in areas where industrial materials or activities are exposed to stormwater (MSGP sites); managers and supervisors who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel); and all members of the PPT. Training provided and assigned to these personnel cover both the specific control measures used at the facility; along with monitoring, inspection, planning, reporting, and documentation requirements described in this SWPPP. Training is conducted at least annually.

Training activities are documented in accordance with LANL's Training Standards. In cases where training is formalized enough to require specific curricula and reoccurrence, the training activity will be recorded in LANL's official U-TRAIN database. Informal briefings, such as those included in group safety meetings are not typically recorded in U-TRAIN. Sign-in sheets are used to document attendance and will be kept on file in Appendix I of this SWPPP.

The topics in this SWPPP that are covered in the latest version of LANL's training (ENV-CP-QAPP-MSGP, Stormwater Multi-Sector General Permit for Industrial Activities Program) include the following:

- Overview and goals of the SWPPP;
- Spill response and cleanup procedures, good housekeeping, maintenance requirements, and material management practices to prevent stormwater pollution;
- The location of all controls on the site required by this permit and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

Additional training is provided to the PPT members responsible for design, installation, maintenance, and/or repair of controls (including pollution prevention measures), conducting and documenting monitoring and inspections, and taking and documenting corrective actions. Qualified team members are hired and trained as prescribed in ENV-DO-QP-115, Personnel Training. This initial and annual training includes quality assurance requirements, reporting, inspections, logbook use, health and safety, report preparation, and engineering and design criteria. This training is applicable for the following personnel:

- MSGP SWPPP Inspector: Curricula 10697 ENV-RCRA
- MSGP SWPPP Preparer: Curricula 7814 ENV-RCRA
- MSGP Design Engineer: Curricula 51 ENV-RCRA
- MSGP Visual Assessor: Curricula 10698 ENV-RCRA
- Field Worker Training Requirements: Curricula 131

## **4.6 Stormwater Monitoring**

Analytical monitoring comprised of quarterly benchmark and annual impaired waters monitoring will be performed on stormwater discharges from the site. Monitoring events will be from storm events that result in an actual discharge from the site and that follow the preceding measurable storm event by at least 72 hours (3 days). For runoff from snowmelt, the monitoring will be performed at a time when a measurable discharge from the site occurs.

Monitoring will be conducted according to test procedures approved under 40 CFR Part 136. Runoff samples will be collected by taking a minimum of one grab sample from a discharge, collected within the first

30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample will be collected as soon as practicable after the first 30 minutes and documentation will be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes.

#### 4.6.1 Monitoring Schedule

For this permit term, monitoring will begin October 1, 2015. Benchmark monitoring will be performed on a quarterly basis at least once in each of the following four 2-month intervals:

- October 1 – November 30
- April 1 – May 31
- June 1 – July 31
- August 1 – September 30

Impaired waters monitoring will be performed on an annual basis with a sample collected in the period between April 1 and November 30.

LANL is located in a high elevation, semi-arid climate where the majority of rainfall occurs during a period between July and September. Freezing conditions that would prevent runoff from occurring for extended periods may also occur during the winter months. For these conditions if benchmark monitoring cannot be performed on the quarterly schedule above, monitoring events will be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from the site. If adverse weather conditions prevent the collection of samples according to the relevant monitoring schedule, a substitute sample will be collected during the next qualifying storm event or as soon as practical.

Monitoring occurs at automated sampling station **MSGP00201** (located at Outfall #002) in a grated inlet west of Building 38. Discharge from the facility is east to Sandia Canyon (impaired waters), which is a tributary of the Rio Grande located approximately 5 miles east of the facility. Outfall #002 is representative of all stormwater associated with the facility.

Outfall ID	Outfall Location	Activities/Potential Pollutants	Runoff Coefficient	Control Measures
#002	Grated inlet north of Bldg. 37, west of Bldg. 38	Metal residues from metal stock exposed to stormwater, metal shavings, fuel/oil/hydraulic fluid leaks from vehicle or forklift parking	>85%	Scrap metal bins are covered, metal stock is kept off ground on pallets or blocks and covered with thick tarps, pig mats are on hand to place around drain

#### 4.6.2 Substantially Identical Outfalls

Outfall #002 is the sole outfall for the facility.

#### 4.6.3 Monitoring Requirements

Benchmark and impaired waters monitoring will be conducted for this facility as required by the 2015 MSGP. A 2015 MSGP Sampling and Analysis Plan for LANL is provided in Appendix H of this SWPPP. The impaired water pollutants to be sampled can change yearly based on the requirements of the MSGP. The Sampling and Analysis plan will be updated each year.

Table 3 lists the current Summary of Monitoring Requirements and LANL's applicable stormwater monitoring procedures (which also includes procedures for gathering storm event data). The monitoring values have been modified to reflect New Mexico facility water quality standards and are based on the lowest water quality standards from the *Standards for Interstate and Intrastate Surface Waters* (as approved on June 5, 2013), 20.6.4.900 NMAC; and as set forth in section 9.6.2.1 of the 2015 MSGP.

**Table 3: Summary of Monitoring Requirements**

Monitoring Type	Location	Parameters		Numeric Limitations	Schedule
Benchmark  Subsector AA1. Fabricated Metal Products, except Coating (SIC 3411-3499; 3911-3915)	MSGP00201 Outfall #002 Sandia Canyon	Total Aluminum*	681 ug/L	None  *Hardness Dependent 57 (60) mg/L	Quarterly
		Total Iron	1.0 mg/L		
		Total Zinc1*	76 ug/L		
		Nitrate plus Nitrite Nitrogen NO3+NO2-N	0.68 mg/L		
Impaired Waters	MSGP00201 Outfall #002 Sandia Canyon	Aluminum	681 ug/L	None	Annual
		Gross Alpha, adjusted	15 pCi/L		
		Copper	6 ug/L		
		Thallium, dissolved	0.47 ug/L		
		Total Aroclor (PCB in Water Column)	0.2 ug/L		

**Procedures (see Appendix L for documents):**

- ENV-CP-QP-045, *Installing, Setting up, and Operating ISCO Samplers for the MSGP:*  
<http://int.lanl.gov/training/env-courses/55962/env-cp-qp-045.pdf>
- EPC-CP-QP-048, *Processing MSGP Stormwater Samples:*  
<http://int.lanl.gov/training/adesh/56595/56595.pdf>
- EPC-CP-QP-047, *Inspecting Stormwater Runoff Samplers and Retrieving Samples for the MSGP:*  
<http://int.lanl.gov/training/adesh/56594/56594.pdf>
- ENV-CP-QAPP-MSGP, *Quality Assurance Project Plan for the Stormwater MSGP:*  
<http://int.lanl.gov/training/env-courses/43337/env-cp-qapp-msgp.pdf>

**\*Hardness data based on average monitoring results for Sandia Canyon (2009-2015). Data provided in Appendix H.**

#### **4.6.4 Monitoring Results**

If the average of the 4 monitoring values for any parameter exceeds the benchmark, or if prior to completion of 4 quarterly samples, an exceedance of the 4 quarter average is mathematically certain, the Pollution Prevention Team and EPC-CP personnel will:

- Review the selection, design, installation, and implementation of control measures to determine if modifications are necessary to meet the effluent limits,
- Implement the necessary modifications, and
- Continue quarterly monitoring until 4 additional quarters of monitoring have been completed for which the average does not exceed the benchmark.

If the average of the 4 monitoring values for any parameter does not exceed the benchmark, monitoring for that particular parameter will no longer be performed.

For impaired waters monitoring the same corrective actions will be applicable for exceedances. Impaired water constituents will continue to be monitored annually until they are no longer detected in samples.

#### **4.6.5 Recordkeeping**

For each monitoring event, except snowmelt monitoring, the following information will be recorded and maintained through field data sheets, LANL database systems, and Discharge Monitoring Records:

- The date, exact place, and time of sampling or measurements;
- The date and duration (in hours) of the rainfall event
- Rainfall total (in inches) for that rainfall event
- Time (in days) since the previous measurable storm event
- The individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed
- The individual(s) who performed the analyses;
- The analytical techniques or methods used; and
- The results of such analyses.

For snowmelt monitoring, all information except rainfall event durations, totals, and time since previous event will be included. Additionally, all records of monitoring information, including all calibration and maintenance records will be maintained for a minimum period of at least three years from the date the permit expires.

## SECTION 5: INSPECTIONS AND CORRECTIVE ACTIONS

### 5.1 Routine Facility Inspection Procedures

Routine inspections at this facility will be conducted and documented monthly and per ENV-RCRA-QP-022, MSGP Stormwater Corrective Actions: <http://int.lanl.gov/training/env-courses/54892/env-rcra-qp-022.pdf> (document provided in Appendix L).

At least once each calendar year, the routine inspection will be conducted during a period when a stormwater discharge is occurring. The inspection will be performed by a qualified member of the Stormwater PPT (typically the DEP or EPC-CP Technical Lead). The 2015 MSGP consolidates the different and separate documentation requirements in the Comprehensive Site Inspection Procedures and Routine Facility Inspection Procedures from the 2008 MSGP. EPC-CP will perform at least one routine inspection per year in order to evaluate corrective action status for the Annual Report requirements.

Routine inspections will evaluate the following areas, at a minimum:

- Areas where industrial materials or activities are exposed to stormwater;
- Areas identified in the SWPPP and those that are potential pollutant sources;
- Areas where spills and leaks have occurred in the last three years;
- Discharge points(outfalls/SIOs); and
- Control measures used to comply with the effluent limits contained in this permit.

Specific areas of the facility to be inspected include (see descriptions in Section 3.7):

- Raw Steel Handling Storage Areas
- Metal Fabricating Areas
- Storage Areas for Raw Metal
- Metal Working Fluid Storage Areas
- Cleaners and Rinse Water
- Lubricating Oil and Hydraulic Fluid Operations
- Chemical Storage Areas

During routine inspections the following must be examined and looked out for:

- Industrial materials, residue or trash that may have or could come into contact with stormwater;
- Leaks or spills from industrial equipment, drums, tanks and other containers;
- Offsite tracking of industrial waste or materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas; and
- Control measures needing maintenance, repairs or replacement.

The Stormwater PPT member performing the inspection will document the inspection and will note potential storm water pollution problems that were encountered on the routine facility inspection form. Any required corrective actions identified during the inspection will be addressed in accordance with Section 5.4

*Corrective Actions Process* of this plan. Facility personnel or the Deployed Environmental Professional may

also perform daily, weekly, or other periodic facility surveys in between monthly routine inspections to further ensure compliance with the SWPPP. The routine inspection form can be found in Appendix F of this SWPPP and meets the requirements listed in the 2015 MSGP (Section 3.1.2.).

## 5.2 Quarterly Visual Inspection Procedures

Visual inspections are conducted in accordance with EPC-CP-QP-064, MSGP Stormwater Visual Assessments: <http://int.lanl.gov/training/adesh/56595/56595.pdf> (document provided in Appendix L).

Once each quarter (April 1-May 31, June 1-July 31, August 1-September 30, October 1-November 30) a sample and visual assessment must be collected and performed at each outfall. The visual assessment will be conducted by a qualified member of the Stormwater PPT (Deployed Environmental Professional or EPC-CP Technical Lead). The visual assessment must be:

- Of a sample in a clean, clear colorless glass or plastic container and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event or as soon as practical thereafter. Or document why it was not possible to collect the sample within the first 30 minutes (i.e. adverse conditions, not enough flow, etc.)
- Conducted at least 72 hours since the last storm event; or document that the 72 hour period is representative of your local storm events during the sampling period.

The visual assessment will inspect for the following water quality characteristics: color, odor, clarity, floating solids, settled solids, suspended solids foam, oil sheen, and other obvious indicators of stormwater pollution.

Exceptions to visual assessments:

- Document rationale if a visual assessment is unable to be collected in a quarter (no precipitation event or adverse conditions, etc.);
- Perform an additional assessment during the next qualifying storm event if unable to perform in a particular quarter; and
- Perform one quarterly assessment during snow melt discharge (taken during a measurable discharge from the site).

For facilities with significantly identical outfalls, quarterly visual assessments may be performed at only one of the outfalls; provided that you perform visual inspections on a rotating basis at each outfall.

The Stormwater PPT member performing the visual assessment will document potential stormwater pollution problems that were observed during the assessment on the Quarterly Visual Assessment form (Appendix F). Any required corrective actions identified during the assessment will be addressed in accordance with Section 5.4 *Corrective Actions Process* of this plan.

## 5.3 Corrective Actions Process

When any of the following conditions occur or are detected during an inspection, monitoring or any other means, this SWPPP (e.g., sources of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of control measures) will be reviewed and revised (as appropriate) so that the effluent limits of the 2015 MSGP permit are met and pollutant discharges are minimized:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit to a water of the U.S.) occurs at the facility;
- A discharge violates a numeric effluent limit;
- Control measures are not stringent enough for the discharge to meet applicable water quality standards or non-numeric effluent limits;

- An inspection identifies that a required control measure was never installed, was installed incorrectly or is not being properly operated or maintained; and
- Whenever a visual assessment shows evidence of stormwater pollution.

If the event triggering corrective action is associated with an outfall that is identified as an SIO, the review of the need for action must encompass all related SIOs.

**Immediate Actions:** If a corrective action is required, immediate steps must be reasonably taken to minimize or prevent discharges from occurring (i.e. spill clean-up, scheduling repairs) until a permanent solution (if needed) can be implemented. Immediate action means all reasonable steps must be taken the same work day or no later than the following work day (when it is too late in the day to take corrective action).

**Subsequent Actions:** If further corrective actions are required (e.g. installing or making operational a new or modified control, completing repairs, ordering BMPs) they must be completed by the next storm event, if possible or within 14 calendar days (from initial discovery). If it is infeasible to complete corrective actions within 14 days, documentation of why it is infeasible must be provided in the SWPPP. This documentation must also include a timeframe and schedule for completion of the work, which must be completed no later than 45 days (from initial discovery). If time needed to make corrective actions will exceed 45 days, EPA must be notified and provided a justification of why actions will exceed the timeframe; and a minimal amount of additional time to complete the work may be approved.

Upon discovery, required corrective actions will be documented by the DEP (or EPC-CP) and entered into the Corrective Action Database (CAR). The action will be kept open in the database until the issue has been resolved. CARs/Documentation of Maintenance and Repairs of Control Measures will be kept in Appendix J of this SWPPP. Where corrective actions result in changes to procedures or controls documented in this SWPPP, modifications to the SWPPP will be made accordingly within 14 days of completing the corrective action(s).

## **5.4 Conditions Requiring Review to Determine if Modifications Are Necessary**

If any of the following conditions occur, a review of the selection, design, installation, and implementation of control measures will be performed to determine if modifications are necessary to meet the effluent limits in this permit:

- Construction or a change in design, operation, or maintenance at the facility significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged; or
- The average of 4 quarterly sampling results exceeds an applicable benchmark. If less than 4 benchmark samples have been taken, but the results are such that an exceedance of the 4 quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than 4 times the benchmark level) this is considered a benchmark exceedance, triggering this review; or.
- An impaired water constituent exceeds the NM Water Quality criterion.

If a review identifies any necessary modifications, they will be performed following the corrective action process identified in Section 5.4 above.

## **SECTION 6: DOCUMENTATION TO SUPPORT ELIGIBILITY CONSIDERATIONS UNDER OTHER FEDERAL LAWS**

### **6.1 Documentation Regarding Endangered Species**

The Los Alamos National Laboratory (LANL) Threatened and Endangered Species Habitat Management Plan (HMP) was prepared to provide for the protection of federally listed threatened and endangered species and their habitats at LANL. The HMP was designed to be a comprehensive landscape-scale management plan that balances the current operations and future development needs of LANL with the habitat requirements of threatened and endangered species. It also facilitates DOE compliance with the Endangered Species Act and related federal regulations. The HMP received concurrence from the U.S. Fish and Wildlife Service (USFWS) and was first implemented in 1999. All changes to the HMP, such as adding new species or changing requirements, are assessed in a new consultation with the USFWS before being implemented. The HMP provides guidance by species for different types of activities allowed without further review by the USFWS.

Currently, the only federally-listed species that have habitat or occur at LANL are the Southwestern Willow Flycatcher (*Empidonax trailii extimus*), Jemez Mountains Salamander (*Plethodon neomexicanus*), and Mexican Spotted Owl (*Strix occidentalis lucida*). Suitable habitats for these species, along with a protective buffer area surrounding the habitats, have been designated as Areas of Environmental Interests (AEIs). An AEI consists of a core area that contains important breeding or wintering habitat for a specific species and a buffer area around the core area. The buffer protects the core area from disturbances that would degrade the value of the core area to the species.

The HMP includes eco-risk analyses which account for any industrial facility's stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities. In addition, the Site-wide Environmental Impact Statement (SWEIS) biological assessment (BA) covered the continuation of Laboratory operations and included outfalls.

As determined by earlier evaluations, stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities from LANL MSGP locations are not likely to adversely affect any species that is federally-listed as endangered or threatened under Criterion D Section iii, the ESA, and will not result in the adverse modification or destruction of habitat that is federally-designated as "critical habitat" under the ESA. New activities are evaluated to determine if they will have an impact to any species. If an activity can be completed within the guidelines of the HMP it can go forward as scheduled; however, if the activity can not comply with the guidelines, the HMP requires that a project-specific BA be prepared for the action and go through the consultation process with the USFWS.

The LANL HMP and other applicable critical habitat documentation can be found in Appendix K of this SWPPP.

### **6.2 Documentation Regarding Historic Properties**

In August, 2015 and December 2008, the Cultural Resources Team (using GPS spatial data as well as conducting visual inspections), reviewed the Laboratory industrial sites (see list below) and their associated outfalls and monitoring stations subject to the 2015 Multi-Sector General Permit (Permit #NMR050000) for effects on historic properties. All of these sites were found to be undertakings of no effect and in compliance with Section 106 of the National Historic Preservation Act (i.e., Criterion B).

- TA-3-22 Power and Steam Plant
- TA-3-38 Metals Fabrication Shop
- TA-3-38 Wood Shop
- TA-3-39 and 102 Metal Shop
- TA-3-66 Sigma Complex

- TA-60 Asphalt Batch Plant
- TA-60-1 Heavy Equipment Yard
- TA-60 Material Recycle Facility
- TA-60 Roads and Grounds
- TA-60-2 Warehouse
- TA-54 Area L
- TA-54 Area G
- TA-54 Maintenance Facility West
- TA-54 RANT

### **6.3 Documentation Regarding NEPA Review**

The Final Site-Wide Environmental Impact Statement for the Operation of Los Alamos National Laboratory (DOE/EIS-0380) was issued in May 2008, and a Record of Decision in September 2008. Stormwater issues and associated pollution prevention requirements and activities at LANL are analyzed in Chapters 4 and 5 of the 2008 Site-Wide EIS. These activities are integrated into environmental reviews on a project-specific level through LANL's Integrated Review Tool (IRT), which incorporates both the Excavation Permit (EX-ID) and Permit Requirements Identification (PR-ID) process. Stormwater issues are identified and pollution prevention activities are implemented during the design and construction phases of all LANL projects, and as part of facility operations, including routine maintenance. LANL staff monitors stormwater pollution prevention compliance at the MSGP sites in accordance with Section 4.6 *Stormwater Monitoring* of this plan. Corrective actions are taken as necessary as described in Section 5.3 *Corrective Actions Process* of this plan.

## SECTION 7: SWPPP CERTIFICATION

### STORMWATER POLLUTION PREVENTION PLAN TA-03-38 Metals Fabrication Shop Los Alamos National Laboratory

#### CERTIFICATION STATEMENT

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature: \_\_\_\_\_



Digitally signed by Andrew W Erickson  
DN: c=US, o=U.S. Government, ou=Department of  
Energy, ou=Los Alamos National Laboratory, ou=People,  
serialNumber=141880, cn=Andrew W Erickson  
Date: 2018.01.26 16:22:08 -0700

Date: 1/26/2018

**Andrew W. Erickson**

Facility Operations Director

Utilities and Institutional Facilities

## **SECTION 8: SWPPP MODIFICATIONS**

The SWPPP will be modified by the PPT and reviewed by the EPC-CP Technical Advisor(s) whenever necessary to address any of the triggering conditions for corrective actions listed in Section 5.4 of this SWPPP to ensure that they do not reoccur; or to reflect changes implemented when a review following the triggering conditions listed in Section 5.4 of this SWPPP indicates that changes to control measures are necessary to meet the effluent limits described in this SWPPP. Changes to this SWPPP document must be made in accordance with the corrective action deadlines defined in Section 5.4 and must be signed and dated in accordance with the signatory requirements listed in Appendix B Subsection 11 (Signatory Requirements) of the 2015 MSGP. A record of amendments to the SWPPP will be tracked in the amendment log located in Appendix E of this SWPPP.

## **APPENDIX A**

### **Stormwater Pollution Prevention Team Members**

## **Stormwater Pollution Prevention Team Members**

Staff Names	Individual Responsibilities
<b>Team/Group Leader:</b> Russell Stone, ESH Manager, Utilities and Institutional Facilities (DESHS-UIS)	Responsible for the management of all environmental, safety, health, and quality programs for the buildings and facilities listed within this Plan. This includes performing oversight and periodic walk downs to ensure implementation of the requirements of the MSGP and this SWPPP including overseeing the assigned duties of other PPT members. The Group Leader is responsible for ensuring that problems noted in inspections are corrected. The Group Leader must also ensure funding is established to cover compliance requirements of the MSGP and this SWPPP.
<b>DEPs:</b> Jillian Burgin (primary), Leonard Sandoval (backup), Utilities and Institutional Facilities (DESHS-UIS)	Responsible for the management of all environmental programs and issues for the buildings and facilities listed within this Plan. The DEP is responsible for training, recordkeeping, and SWPPP revision. The DEP will ensure that all PPT, operations site workers (as appropriate), and applicable supervisors receive annual MSGP and SWPPP training. The DEP will ensure that inspection documents and other required MSGP records relative to the SWPPP are managed in accordance with the permit and established document control procedures and that the SWPPP is kept current. The DEP provides technical and regulatory support to facility personnel regarding implementation of the MSGP and this SWPPP. Lastly, the DEP conducts routine inspections and visual assessments as required by the MSGP. Identified corrective actions from routine inspection are entered into the EPC-CP Corrective Action Report (CAR) database. The DEP is responsible for tracking and updating the status of corrective actions that cannot be implemented immediately.
<b>FOD Manager:</b> Lawrence Chavez, Operations Manager Utilities and Institutional Facilities (UI-DO)	Responsible for managing the operation and maintenance of all aspects of the buildings and facilities listed within this Plan. The Operations Manager shall provide review and ensure coordination with core personnel and the PPT, as appropriate, when tenants within the UI FOD propose a new process or a new site or operation that may be subject to the MSGP.
<b>ENV Core:</b> Holly Wheeler, MSGP Environmental Compliance Programs (EPC-CP)	The MSGP Project Lead is responsible for managing and administering the Multi-Sector General Permit Storm Water Program for all industrial facilities within Los Alamos National Laboratory. The MSGP Project Lead advises and provides guidance to facility personnel on NPDES MSGP regulations/requirements. The MSGP Project Lead also acts as the institutional point of contact for all interactions with the regulatory authority (EPA) and supervises personnel implementing storm water monitoring requirements for the facility.
<b>Facility Staff:</b> Thomas P. Chavez Metals Fabrication Shop Superintendent, Logistics-Central Shops (LOG-CS)	Responsible for day-to-day operations at the facility. Assisting DEPs and EPC with inspections; and implementing, installing and maintaining BMPs at the facility for MSGP compliance. Spill reporting; providing documentation as requested by other team members. Coordinating SWPPP training and briefings as requested by DEP/EPC.

## **APPENDIX A1**

### **SWPPT Meeting Notes and Other Documentation Relative to the SWPPP**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX B**

### **Site Maps**

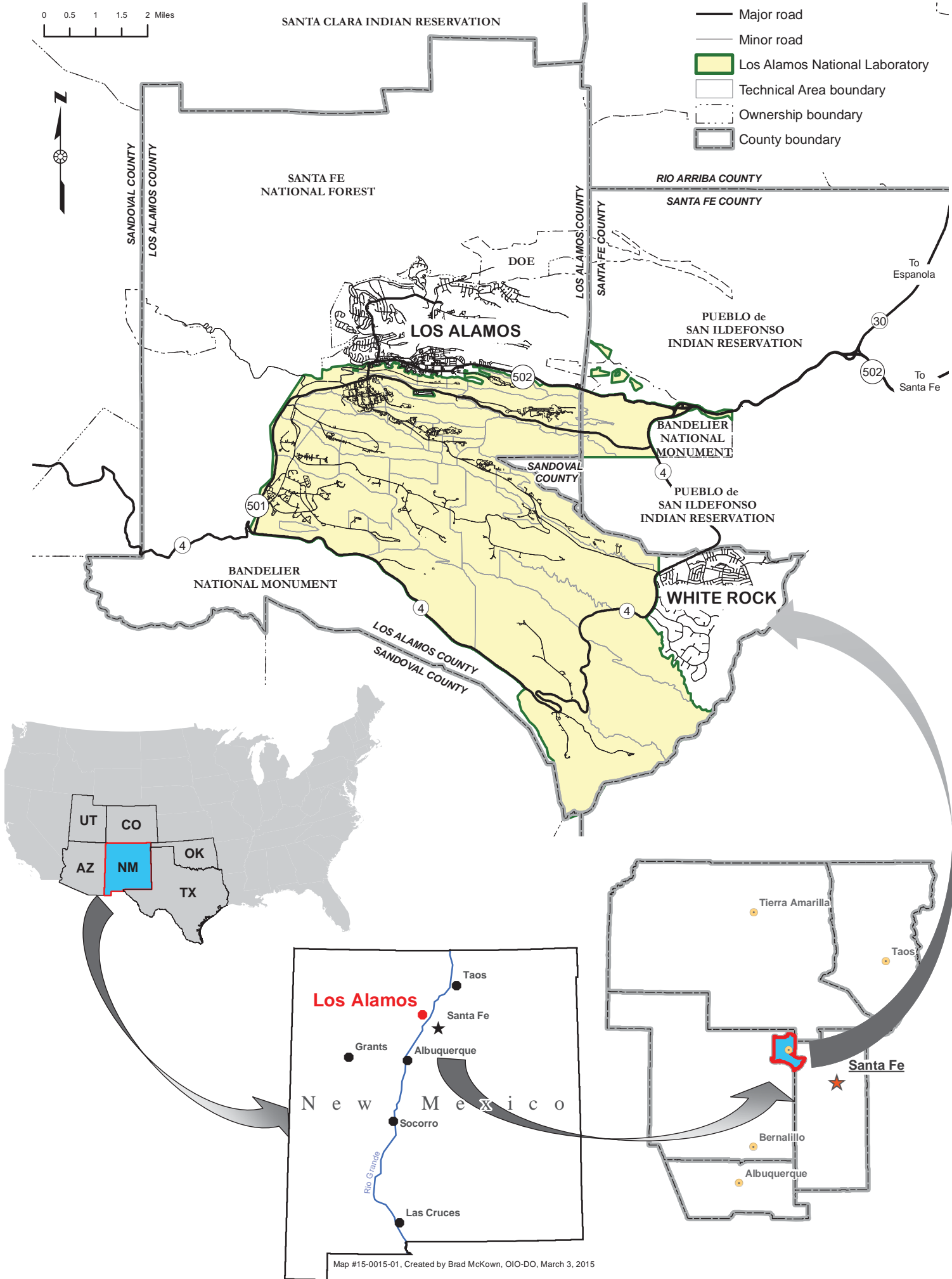
Figure B-1, Regional Location Map

Figure B-2, General Location Map (Includes nearby surface waters and receiving waters)

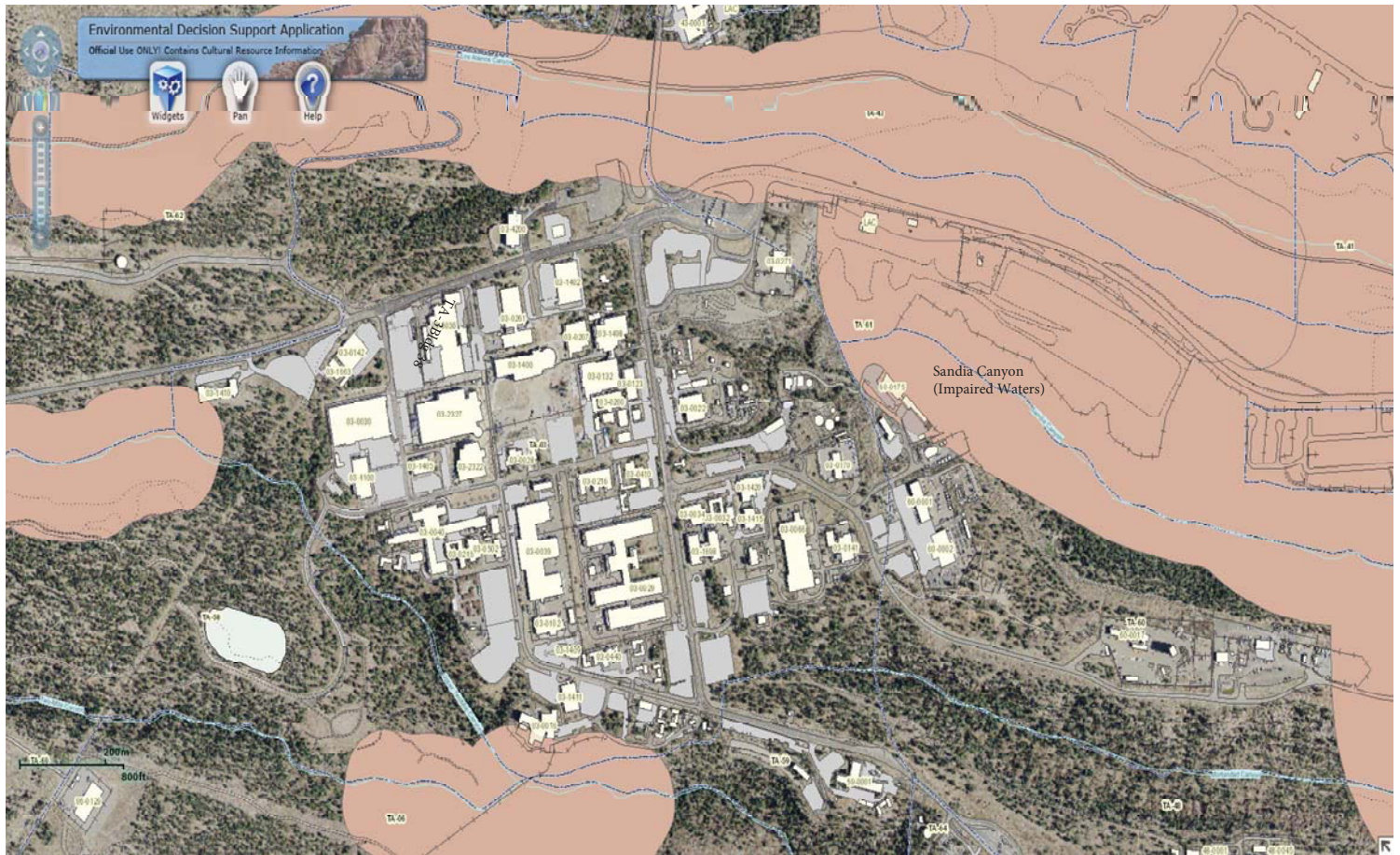
Figure B-3, Facility Site Map

Figure B-4, Endangered Species Habitat Within LANL

**Figure B-1, Regional Location Map**



**Figure B-2, General Location Map**  
**Location of Nearby Surface Waters and Receiving Waters**



Peach Layer = Critical Habitat

**Figure B-3, Facility Site Map**

# **TA-3-38 METAL FAB SHOP FIGURE C2 SITE MAP**

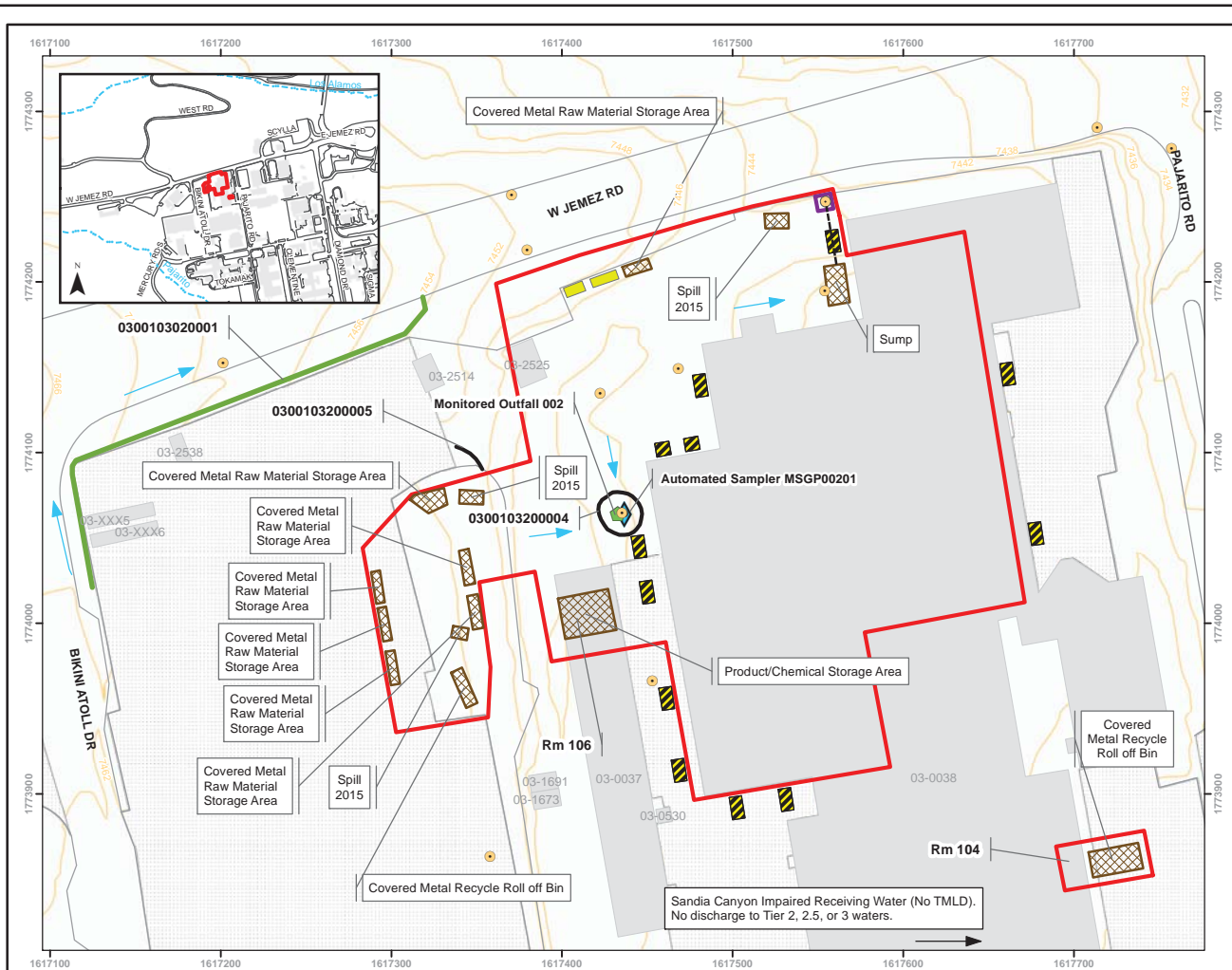
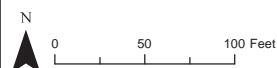
- Automated Sampler
- Monitored Outfall
- Drain Inlet
- Base Course Berm
- EnviroSoxx w/ MetalLoxx
- Paved Roads
- Drainage
- 2 ft Contour
- Boundary of Industrial Activity
- Petro Plug
- Industrial Activity Areas
- Dumpster
- Loading/Unloading Areas
- LANL Structures
- Paved Parking Lot
- Flow Direction
- Connection Pipe

2 Acres, 100% Impervious Surface.  
Note - No Critical Habitat Areas.

Map number: 16-0015-TA-03-38-Metals\_Fab\_Shop  
Map created by: Ben Sutter, ADBI-SI-DQ  
Date: May 25, 2016  
Version 1

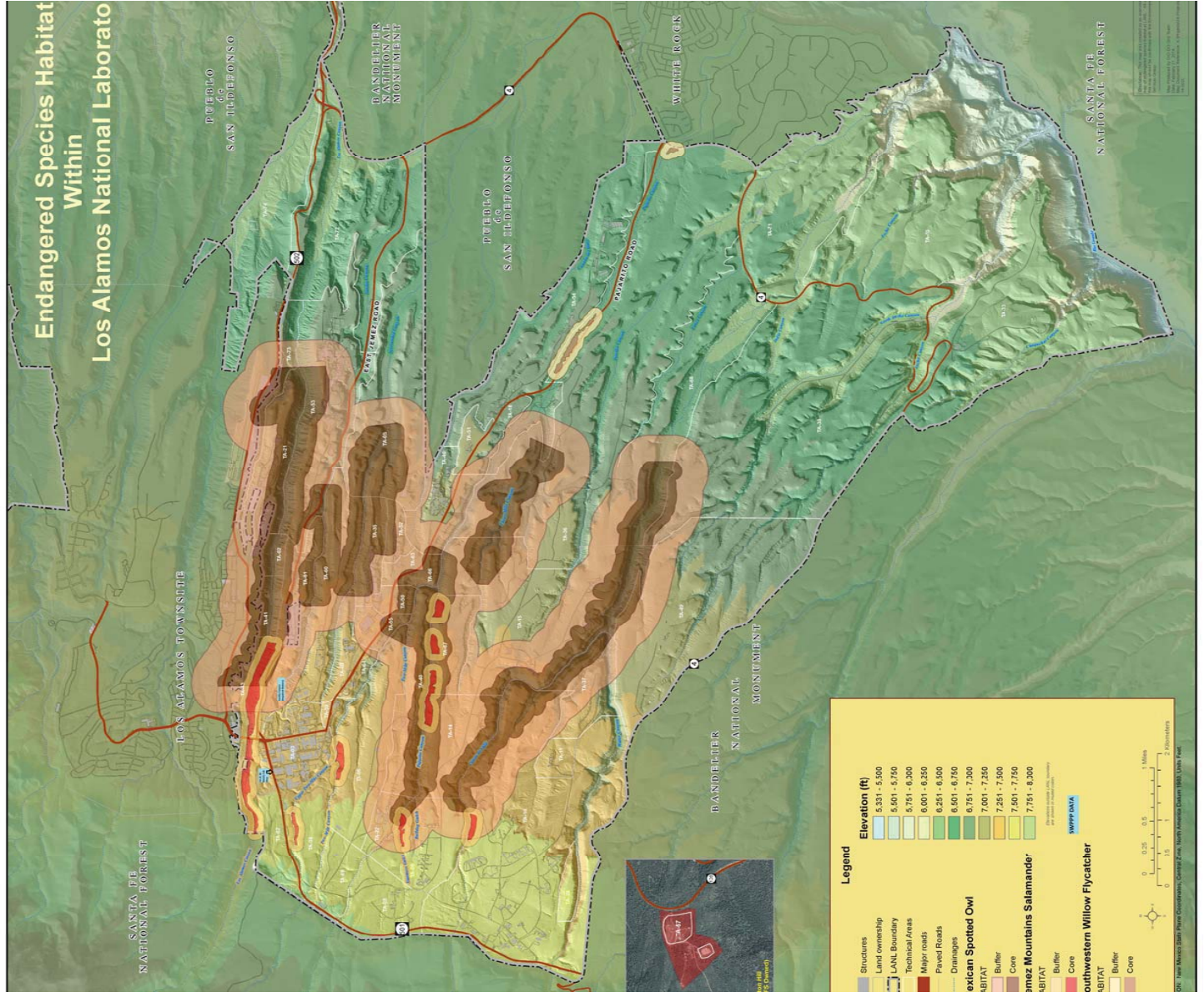
New Mexico State Plane Coordinate System Central Zone (3002)  
North American Datum, 1983 (NAD 83)  
US Survey Ft

**DISCLAIMER:** This map was created for work processes associated with the Multi-Sector General Permit. All other uses for this map should be confirmed with LANL EPC-CP staff.



**Figure B-4, Endangered Species Habitat Within LANL**

# Endangered Species Habitat Within Los Alamos National Laboratory



## **APPENDIX C**

### **NOI and LANS Delegation of Authority Letter**



***Environment Safety & Health***

PO Box 1663, MS K491

Los Alamos, New Mexico 87545

(505) 667-4218/Fax (505) 665-3811

**Date:** MAR 22 2016

**Symbol:** ADESH-16-045

**LA-UR:** 16-21721

**Locates Action No.:** N/A

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2015 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

To Whom It May Concern:

**Subject: Transmittal of the National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) For Stormwater Discharges Associated with Industrial Activity under the Multi-Sector General Permit (MSGP) Tracking No. NMR053195**

The purpose of this letter is to transmit a complete/correct NOI for stormwater discharges associated with industrial activity under the MSGP for Los Alamos National Laboratory (LANL) (Enclosure 1) on behalf of Los Alamos National Security LLC. LANS operates LANL for the Department of Energy. Per Section G of the attached NOI, three concurrence letters from the United States Department of Interior, Fish and Wildlife Service are provided in Enclosure 2. While submitting a NOI for coverage under the new 2015 MSGP, LANS experienced significant problems with EPA's Net NPDES eReporting tool, which resulted in the initial submission of a NOI with incomplete outfall attribute data and incorrect information. The details of these issues were provided in a letter sent to Mr. Bret Larsen of EPA Region 6 on October 29, 2015 (ENV-DO-15-0309) (Enclosure 3).

The initial NOI was submitted in the Net eReporting tool on 9/02/2015, which resulted in a follow-up e-mail on 9/03/2015 from [NeT@epa.gov](mailto:NeT@epa.gov) stating the NOI requesting coverage for Los Alamos National Laboratory under EPA's 2015 MSGP had been certified and submitted to EPA for review, and assigned NPDES ID NMR053195. Please note, this tracking number has been inserted in Section B of Enclosure 1 to prevent confusion or assignment of an additional tracking number. Authorization to discharge under the 2015 MSGP was sent to LANS on 10/03/2015.

Repeated attempts to update the NOI via the "Change NOI" form have resulted in the same system problems without successful submittal of all required information via NeT. As such, an e-mail request for waiver pursuant to Part 7.1 of the 2015 MSGP was sent to Ms. Nasim Jahan on 2/05/2016. On 2/09/2016 Ms. Jahan responded by indicating "LANL can submit their paper copy."

LANL has 14 industrial sites covering eight (8) sectors, with 74 outfalls (26 monitored outfalls and 48 associated substantially identical outfalls) discharging to five (5) assessment units on the Clean Water Act 303(d) list (impaired waters without an EPA-approved or established TMDL pursuant to Part 6.2.4.1 of the 2015 MSGP). In addition, due to extended frozen conditions in the winter and the semi-arid climate, LANS implements an alternate monitoring period of four (4) two-month monitoring quarters for benchmark values as identified below, in accordance with Part 6.1.6 of the 2015 MSGP. This does not coincide with the four (4) three month monitoring quarters for benchmark values currently in the NetDMR.

April 1 through May 31

June 1 through July 31

August 1 through September 30

October 1 through November 30

To facilitate complete and accurate information in the NeT reporting system, LANS has provided an additional table (Enclosure 4) containing sector-specific information per MSGP site within the 36 square mile facility and listed each site's associated outfalls. The premise for providing this information is to determine whether the NeT tool can prepopulate the electronic Discharge Monitoring Report (DMR) form based on this information without causing inaccuracies or rejected data (non-fillable forms due to unresolvable hard errors). In addition, LANS is concerned that incomplete or incorrect NOI information will perpetuate a recurring prohibitive "domino effect" on subsequent electronic DMR filing and "Change NOI" forms.

LANS respectfully requests consideration of waivers for electronic submittal of MSGP DMRs using the NetDMR system until it is determined whether the attached NOI can be submitted by EPA's Subcontractor into the NeT tool. Once this occurs, LANS can determine how information is populating the NetDMR system and whether it will accept applicable data without causing prohibitive hard errors.

Any additional direction or guidance you may have would be appreciated. Please contact Terrill Lemke of Environmental Protection and Compliance, Compliance Programs (EPC-CP) at (505) 665-2397 if you have any questions regarding this NOI.

Sincerely,



Michael T. Brandt, DrPH, CIH  
Associate Director  
Environment, Safety & Health  
Los Alamos National Security, LLC  
Los Alamos National Laboratory

MTB:TWL:HLW/lm

- Enclosure: 1. Notice of Intent (NOI) For Stormwater Discharges Associated With Industrial Activity Under the NPDES Multi-Sector General Permit  
2. Concurrence letters from United States Department of Interior, Fish and Wildlife Service

3. Multi-Sector General Permit (MSGP) Notice of Intent (NOI) Reporting Pursuant to Part B.12.H
4. Industrial Sites and Outfalls by Sector

Cy: Nasim Jahan, USEPA/Region 6, Dallas, TX, (E-File)  
Bruce Yurdin, NMED/SWQB, Santa Fe, NM, (E-File)  
Jordan Arnsward, NA-LA, (E-File)  
Craig S. Leasure, PADOPS, (E-File)  
William Mairson, PADOPS, (E-File)  
Michael T. Brandt, ADESH, (E-File)  
Raeanna Sharp-Geiger, ADESH, (E-File)  
John P. McCann, EPC-DO, (E-File)  
Terrill W. Lemke, EPC-CP, (E-File)  
Holly L. Wheeler, EPC-CP, (E-File)  
Timothy A. Dolan, LC-ESH, (E-File)  
[lasomailbox@nnsa.doe.gov](mailto:lasomailbox@nnsa.doe.gov), (E-File)  
[locatetesteam@lanl.gov](mailto:locatetesteam@lanl.gov), (E-File)  
[epc-correspondence@lanl.gov](mailto:epc-correspondence@lanl.gov)

# **ENCLOSURE 1**

**Notice of Intent (NOI) For Stormwater Discharges  
Associated With Industrial Activity Under the NPDES  
Multi-Sector General Permit**

**ADESH-16-045**

**LA-UR-16-21721**

**Date:** MAR 22 2016



Submission of this Notice of Intent (NOI) constitutes notice that the operator identified in Section C of this form requests authorization to discharge pursuant to the NPDES Stormwater Multi-Sector General Permit (MSGP) permit number identified in Section B of this form. Submission of this NOI also constitutes notice that the operator identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP for the facility identified in Section D of this form. To obtain authorization, you must submit a complete and accurate NOI form. Discharges are not authorized if your NOI is incomplete or inaccurate or if you were never eligible for permit coverage. Refer to the instructions at the end of this form to complete your NOI.

**A. Approval to Use Paper NOI Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*? ☒ YES ☐ NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

- Waiver granted: ☐ The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.
- ☒ The owner/operator has issues regarding available computer access or computer capability.

Name of EPA staff person that granted the waiver:

N a s i m J a h a n

Date approval obtained:

0 2 / 0 9 / 2 0 1 6

\* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper NOI form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (Net) at <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPA-MultiSector-General-Permit.cfm>

**B. Permit Information**

NPDES ID (EPA Use Only):

N M R 0 5 3 1 9 5

1. Master Permit Number: N M R 0 5 0 0 0 0

(see Appendix C of the MSGP for the list of eligible master permit numbers)

2. Are you a new discharger or a new source as defined in Appendix A? ☐ YES ☒ NO (If yes, skip to Part C of this form).

3. If you are not a new discharger or a new source, have stormwater discharges from your facility been covered previously under an NPDES permit?

☒ YES ☐ NO

If yes, provide the NPDES ID if you had coverage under EPA's 2008 MSGP or the NPDES ID if you had coverage under an EPA individual permit:

N M R 0 5 G B 2 1

**C. Facility Operator Information**

1. Operator Information:

Operator Name:

L o s A l a m o s N a t i o n a l S e c u r i t y L L C

Mailing Address:

Street:

P O B o x 1 6 6 3

City:

L o s A l a m o s

State: N M

ZIP Code:

8 7 5 4 5 -

County or Similar Government Subdivision:

L o s A l a m o s

Phone:

5 0 5 - 6 6 5 - 2 3 9 7

Ext.:

E-mail:

t l e m k e @ l a n l . g o v

2. Operator Point of Contact Information:

First Name, Middle Initial, Last Name:

T e r r i l l W L e m k e

Title:

E n v i r o n m e n t a l M a n a g e r

3. NOI Preparer Information (Complete if NOI was prepared by someone other than the certifier):

First Name, Middle Initial, Last Name:

H o l l y

L

W h e e l e r

Organization:

L o s A l a m o s N a t i o n a l S e c u r i t y L L C

Phone:

5 0 5 - 6 6 7 - 1 3 1 2

Ext.:

E-mail:

h b e n s o n @ l a n l . g o v

**D. Facility Information**

1. Facility Name: L o s A l a m o s N a t i o n a l L a b o r a t o r y

2. Facility Address:  
Street/Location: P O B o x 1 6 6 3  
City: L o s A l a m o s State: N M ZIP Code: 8 7 5 4 5  
County or Similar Government Subdivision: L o s A l a m o s

3. Latitude/Longitude for the facility:  
Latitude: 3 5 8 7 2 7 7° N (decimal degrees) Longitude: 1 0 6 3 2 1 2 7° W (decimal degrees)  
Latitude/Longitude Data Source: ☐ Map ☐ GPS ☒ Other  
If you used a USGS topographic map, what was the scale? \_\_\_\_\_  
Horizontal Reference Datum: ☐ NAD 27 ☐ NAD 83 ☒ WGS 84

4. Is your facility located on Indian Country lands? ☐ YES ☒ NO  
If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable): \_\_\_\_\_

5. Are you requesting coverage under this NOI as a "federal operator" as defined in Appendix A? ☒ YES ☐ NO

6. What is the ownership type of the facility?  
☒ Federal Facility (U.S. Government) ☐ Privately Owned Facility ☐ Municipality ☐ County Government  
☐ Corporation ☐ State Government ☐ Tribal Government ☐ School District  
☐ District ☐ Mixed Ownership (e.g. Public/Private) ☐ Municipal or Water District

7. Estimated area of industrial activity at your facility exposed to stormwater: 131.36 (to the nearest quarter acre)

**8. Sector-Specific Information**

Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in the MSGP, and the applicable sector and subsector of your primary industrial activity (See Appendix D):

Primary SIC Code: 3 4 4 9 OR Primary Activity Code:     
Sector: A A Subsector: A A 1

Identify the applicable sector(s) and subsector(s) of any co-located industrial activity for which you are requesting permit coverage:

Sector: P Subsector: P 1 Sector: K Subsector: K 1 Sector: A Subsector: A 4 Sector: D Subsector: D 1  
Sector: O Subsector: O 1 Sector: F Subsector: F 4 Sector: N Subsector: N 2 Sector:    Subsector:   

If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis? ☐ YES ☐ NO

If you are a Sector G (Metal Mining) facility, do you have discharges from waste rock and overburden piles? ☐ YES ☐ NO

Check the type of ore you mine at your facility: ☐ Tungsten Ore ☐ Nickel Ore ☐ Aluminum Ore

☐ Mercury Ore ☐ Iron Ore ☐ Platinum Ore ☐ Titanium Ore ☐ Vanadium Ore ☐ Molybdenum ☐ Uranium, Radium, and/or Vanadium Ore

9. Is your facility presently inactive and unstaffed?\* ☐ YES ☒ NO

\* Note that if your facility becomes inactive and unstaffed during the permit term, you must submit an NOI modification to reflect the change.

**E. Discharge Information**

1. By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the allowable stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.1.3. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.1.2 and 1.1.3 will be discharged, they must be covered under another NPDES permit. ☒ YES

**2. Federal Effluent Limitation Guidelines**

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? ☒ YES ☐ NO

If yes, which effluent limitation guidelines apply to your stormwater discharges?

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Check if Applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities	E	2/20/1974	<input type="checkbox"/>
Part 418 Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	4/8/1974	<input type="checkbox"/>
Part 423	Coal pile runoff at steam electric generating facilities	O	11/19/1982 10/8/1974 <sup>1</sup>	<input type="checkbox"/>
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	A	1/26/1981	<input type="checkbox"/>
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines	J	N/A	<input type="checkbox"/>
Part 443, Subpart A	Runoff from asphalt emulsion facilities	D	7/28/1975	<input checked="" type="checkbox"/>
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills	K, L	2/2/2000	<input type="checkbox"/>
Part 449	Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	S	6/15/2012	<input type="checkbox"/>

<sup>1</sup>NSPS promulgated in 1974 were not removed via the 1982 regulation; therefore wastewaters generated by Part 423-applicable sources that were New Sources under the 1974 regulations are subject to the 1974 NSPS.

3. Receiving Waters Information: (Attach a separate list if necessary)

List all of the stormwater outfalls from your facility. Each outfall must be identified by a unique 3-digit ID (e.g., 001, 002). Also provide the latitude and longitude in degrees decimal for each outfall.		For each outfall, provide the following receiving water information:		
		Provide the name of the first water of the U.S. that receives stormwater directly from the outfall and/or from the MS4 that the outfall discharges to:	If the receiving water is impaired (on the CWA 303(d) list), list the pollutants that are causing the impairment:	If a TMDL been completed for this receiving waterbody, providing the following information:
Outfall ID	002	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted Polychlorinated Biphenyls (PCBs) Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.875797			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.327580			
Outfall ID	004	Two Mile Canyon (Pajarito to headwaters)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.871431			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.323832			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	005	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.873919			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.320746			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	006	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.874011			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.319858			
If substantially identical to other outfall, list identical outfall ID: 005				
Outfall ID	009	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.874843			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.319412			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	007	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.874014			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.319203			
If substantially identical to other outfall, list identical outfall ID: 009				

Outfall ID	008	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.874617			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.318925			

If substantially identical to other outfall, list identical outfall ID: 009

Outfall ID	010	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.875402			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.320301			

If substantially identical to other outfall, list identical outfall ID: 009

Outfall ID	012	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.875532			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.320884			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	011	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.875563			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.320744			

If substantially identical to other outfall, list identical outfall ID: 012

Outfall ID	018	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872834			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.317653			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	013	Mortandad Canyon (Within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.870797			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.317867			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	014	Mortandad Canyon (Within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.870890			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.317393			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	015	Mortandad Canyon (Within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.871389			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.316397			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	016	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872447			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.316721			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	017	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872599			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.317066			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	019	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872682			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.318467			

If substantially identical to other outfall, list identical outfall ID: 018

Outfall ID	020	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872240			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.316340			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	022	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872661			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313691			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	021	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872514			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313562			

If substantially identical to other outfall, list identical outfall ID: 022

Outfall ID	023	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.873193			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313116			

If substantially identical to other outfall, list identical outfall ID: 022

Outfall ID	024	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.873046			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.315069			

If substantially identical to other outfall, list identical outfall ID: 022

Outfall ID	025	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872928			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.315400			
If substantially identical to other outfall, list identical outfall ID: 022				
Outfall ID	026	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872114			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313105			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	027	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872401			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313391			
If substantially identical to other outfall, list identical outfall ID: 026				
Outfall ID	028	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.872505			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313542			
If substantially identical to other outfall, list identical outfall ID: 026				

Outfall ID	029	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.873969			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.313281			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	031	Mortandad Canyon (within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.869227			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.305685			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	030	Mortandad Canyon (within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.869325			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.306926			

If substantially identical to other outfall, list identical outfall ID: 031

Outfall ID	032	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.870741			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.306812			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	033	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.870712			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.306443			
If substantially identical to other outfall, list identical outfall ID: 032				
Outfall ID	034	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.870603			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.306055			
If substantially identical to other outfall, list identical outfall ID: 032				
Outfall ID	035	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.870474			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.305432			
If substantially identical to other outfall, list identical outfall ID: 032				
Outfall ID	036	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867825			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.293388			
If substantially identical to other outfall, list identical outfall ID: _____				

Outfall ID	037	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867859			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.292992			

If substantially identical to other outfall, list identical outfall ID: 036

Outfall ID	039	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867826			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.291726			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	038	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867855			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.292211			

If substantially identical to other outfall, list identical outfall ID: 039

Outfall ID	040	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867839			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.291955			

If substantially identical to other outfall, list identical outfall ID: 039

Outfall ID	042	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.867047			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.289163			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	041	Mortandad Canyon (within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.866377			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.291397			
If substantially identical to other outfall, list identical outfall ID: 042				
Outfall ID	043	Mortandad Canyon (within LANL)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.866084			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.290165			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	047	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.844895			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.264513			
If substantially identical to other outfall, list identical outfall ID: _____				

Outfall ID	044	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.845868			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.265279			
If substantially identical to other outfall, list identical outfall ID: 047				
Outfall ID	045	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.845586			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.265214			
If substantially identical to other outfall, list identical outfall ID: 047				
Outfall ID	046	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.845200			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.264844			
If substantially identical to other outfall, list identical outfall ID: 047				
Outfall ID	048	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.844590			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.265044			
If substantially identical to other outfall, list identical outfall ID: 047				

Outfall ID	049	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.837228			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.254840			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	050	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.835746			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.250832			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	051	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830143			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.242662			
If substantially identical to other outfall, list identical outfall ID: _____				
Outfall ID	052	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.831852			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.242928			
If substantially identical to other outfall, list identical outfall ID: 051				

Outfall ID	053	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829232			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.236793			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	065	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829028			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.236029			

If substantially identical to other outfall, list identical outfall ID: 053

Outfall ID	066	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830185			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.236107			

If substantially identical to other outfall, list identical outfall ID: 053

Outfall ID	069	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830285			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234518			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	054	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829036			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235125			
If substantially identical to other outfall, list identical outfall ID: 069				
Outfall ID	055	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829173			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235121			
If substantially identical to other outfall, list identical outfall ID: 069				
Outfall ID	056	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829310			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.236107			
If substantially identical to other outfall, list identical outfall ID: 069				
Outfall ID	057	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829440			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235117			
If substantially identical to other outfall, list identical outfall ID: 069				

Outfall ID	058	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829573			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235112			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	059	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829711			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235108			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	060	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830340			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234802			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	061	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830343			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234766			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	062	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830344			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234725			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	063	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830342			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234692			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	064	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830340			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.234656			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	067	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.829856			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235110			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	068	Pajarito Canyon (within LANL below Arroyo de la Delfe)	Aluminum, total PCBs	TMDL Name and ID: N/A
Latitude	35.830051			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.235103			

If substantially identical to other outfall, list identical outfall ID: 069

Outfall ID	072	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.832885			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.239444			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	070	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.832404			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.240510			

If substantially identical to other outfall, list identical outfall ID: 072

Outfall ID	071	Canada del Buey (within LANL)	Aluminum, total Gross Alpha, adjusted PCBs	TMDL Name and ID: N/A
Latitude	35.832701			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.240994			

If substantially identical to other outfall, list identical outfall ID: 072

Outfall ID	073	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.874819			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.324283			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID	074	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.875034			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.327328			

If substantially identical to other outfall, list identical outfall ID: 073

Outfall ID	075	Sandia Canyon (Sigma Canyon to NPDES outfall 001)	Aluminum, total Copper, dissolved Gross Alpha, adjusted PCBs Thallium, dissolved	TMDL Name and ID: N/A
Latitude	35.871154			Pollutant(s) for which there is a TMDL: N/A
Longitude	-106.312940			

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

Outfall ID				TMDL Name and ID:
Latitude				Pollutant(s) for which there is a TMDL:
Longitude				

If substantially identical to other outfall, list identical outfall ID: \_\_\_\_\_

4. Provide the following information about your outfall latitude longitude:

Latitude/Longitude Data Source: ☐ Map ☒ GPS ☐ Other

If you used a USGS topographic map, what was the scale? \_\_\_\_\_

Horizontal Reference Datum: ☐ NAD 27 ☒ NAD 83 ☐ WGS 84

5. Does your facility discharge into a Municipal Separate Storm Sewer System (MS4)? ☐ YES ☒ NO

If yes, provide the name of the MS4 operator: N/A

6. Check if you discharge to any of the waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) or as a Tier 3 water (Outstanding National Resource Water)? (See Appendix L).

☐ Tier 2/2.5. Provide the name(s) of receiving water(s): \_\_\_\_\_

☐ Tier 3 (Outstanding National Resource Waters)\*

\* **Note: You are ineligible for coverage if you are a new discharger or new source to waters designated as Tier 3 (outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3).**

7. If you are subject to benchmark monitoring requirements for a hardness-dependent metal, what is the hardness of your receiving water(s) (see Appendix J)?  
57 (mg/L)

8. If you are subject to benchmark monitoring requirements for a hardness-dependent metal, does your facility discharge into any saltwater receiving waters?  
☐ YES ☒ NO

9. Does your facility discharge to a federal CERCLA site listed in Appendix P? ☐ YES ☒ NO

If yes, did you notify the EPA Regional Office in advance of filing your NOI, and did the EPA Regional Office determine that you are eligible for permit coverage pursuant to Part 1.1.4.10\*? ☐ YES ☐ NO

\* **Note: If you discharge to a federal CERCLA site listed in Appendix P, you are ineligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office determines you are eligible coverage under this permit. In determining your eligibility for coverage under this Part, the EPA Regional Office may evaluate whether you have included adequate controls and/or procedures to ensure that your discharges will not lead to recontamination of aquatic media at the CERCLA Site such that it will to cause or contribute to an exceedance of a water quality standard.**

#### F. Stormwater Pollution Prevention Plan (SWPPP) Information

1. Has the SWPPP been prepared in advance of filing this NOI, as required? ☒ YES ☐ NO

2. SWPPP Contact Information:

First Name, Middle Initial, Last Name: H o l l i y L W h e e l e r

Professional Title: E n v i r o n m e n t a l P r o f e s s i o n a l

Phone: 505-667-1312 Ext.

E-mail: h b e n s o n @ l a n l . g o v

3. SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following two options. Select one of the options and provide the required information\*:

\* **Note: You are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.**

☒ **Option 1:** Maintain a current copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

Provide the web address URL: eprr.lanl.gov

☐ **Option 2:** Provide the following information from your SWPPP:

A. Describe your onsite industrial activities exposed to stormwater (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams), and potential spill and leak areas:

B. List the pollutant(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and any authorized non-stormwater discharges listed in Part 1.1.3:

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 5.2.4):

D. Provide a schedule for good housekeeping and maintenance (see Part 5.2.5.1) and a schedule for all inspections required in Part 4 (see Part 5.2.5.2):

#### G. Endangered Species Protection

1. Using the instructions in Appendix E of the MSGP, under which endangered species criterion listed in Part 1.1.4.5 are you eligible for coverage under this permit (only check 1 box)?\*

☐ A ☐ B ☐ C ☒ D ☐ E

\* **Note:** After you submit your NOI and before your NOI is authorized, EPA may notify you if any additional controls are necessary to ensure your discharges have no likely adverse effects on listed species and critical habitat.

2. Provide a brief summary of the basis for the criterion selected in Appendix E (e.g., communication with U.S. Fish and Wildlife Service or National Marine Fisheries Service to determine no species in action area; implementation of controls approved by EPA and the Services):

Direct consultation with the U.S. Fish and Wildlife Service and corresponding development and implementation of a facility-specific Habitat Management Plan.

3. If you select criterion B, provide the NPDES ID from the other operator's NOI authorized under this permit:

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4. If you select criterion C, you must answer the following questions:

a. What federally-listed species or designated critical habitat are located in your "action area":

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b. Using the Appendix E worksheet, check which of the following is applicable to your facility and answer any corresponding questions:

☐ I submitted my completed *Criterion C Eligibility Form* to EPA at least 30 days prior to submitting this NOI and agree to implement any additional measures that were determined by EPA to be necessary to ensure that my discharges and/or discharge-related activities will not have likely adverse effects on listed species and critical habitat.

Date your *Criterion C Eligibility Form* was sent to EPA: 

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Describe any EPA-approved measures you will implement to ensure no likely adverse effects on listed species and critical habitat:

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☐ I submitted my completed *Criterion C Eligibility Form* to EPA at least 30 days prior to submitting this NOI and have not been notified of any additional measures necessary to ensure no likely adverse effects on listed species and critical habitat.

Date your *Criterion C Eligibility Form* was sent to EPA: 

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5. If you select criterion D or E, you must attach copies of any letters or other communications with the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

#### H. Historic Preservation

1. If your facility is not located on Indian country lands, is your facility located on a property of religious or cultural significance to an Indian tribe?

☒ YES ☐ NO

If yes, provide the name of the Indian tribe associated with the property: San Ildefonso Pueblo

2. Using the instructions in Appendix F of the MSGP, under which historic properties preservation criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit (only check 1 box)?

☐ A ☒ B ☐ C ☐ D

#### I. Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

First Name, Middle Initial, Last Name: J o h n P M c C a n n

Title: D i v i s i o n L e a d e r

Signature:

Date: 03/22/2016

E-mail:

j m c c a n n @ i a n i . g o v

Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

NPDES Form Date (06/15) This Form Replaces Form 3510-6 (09/08)

Form Approved OMB No. 2040-0004

**Who Must File an NOI Form**

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, stormwater discharges associated with industrial activity are prohibited to waters of the United States unless authorized under a National Pollutant Discharge Elimination System (NPDES) permit. You can obtain coverage under the MSGP by submitting a completed Notice of Intent (NOI) if you are an operator a facility:

- that is located in a jurisdiction where EPA is the permitting authority, listed in Appendix C of the MSGP,
- that discharges stormwater associated with industrial activities, identified in Appendix D of the MSGP,
- that meets the eligibility requirements in Part 1.1 of the permit,
- that has developed a stormwater pollution prevention plan (SWPPP) in accordance with Part 5 of the MSGP; and
- that installs and implements control measures in accordance with Part 2 and Part 8 to meet numeric and non-numeric effluent limits.

**Completing the Form**

Obtain and read a copy of the 2015 MSGP, viewable at <http://water.epa.gov/polwaste/npdes/stormwater/EPA-Multi-Sector-General-Permit-MSGP.cfm>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. **Please submit original document with signature in ink - do not send a photocopied signature.**

**Section A. Approval to Use Paper NOI Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper NOI form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided.

See <http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-Contacts.cfm> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the master permit number of the permit under which you are applying for coverage (see Appendix C of the general permit for the list of eligible master permit numbers).

You must indicate whether you are a new discharger or a new source (see Appendix A for the definitions). If you are not a new discharger or a new source, you must indicate whether stormwater discharges from your facility have been previously covered under another NPDES permit. If yes, you must provide the unique NPDES ID (i.e., permit tracking number) for the previous permit your facility was covered under.

**Section C. Facility Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility described in this NOI. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number,

and e-mail. Correspondence for the NOI will be sent to this address. Also provide the name and title for the operator point of contact (note that the point of contact name may be the same as the operator name).

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the full name, organization, phone number, and email address of the NOI preparer.

**Section D. Facility Information**

Enter the official or legal name and complete address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted.

Provide the latitude and longitude of your facility in decimal degrees format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps. Refer to <http://transition.fcc.gov/mb/audio/bickel/DDMMSS-decimal.html> for assistance in providing the proper latitude/longitude format. For consistency, EPA requests that measurements be taken from the approximate center of the facility. Specify which method you used to determine latitude and longitude. If a U.S.G.S. topographic map is used, specify the scale of the map used. Enter the horizontal reference datum for your latitude and longitude. The horizontal reference datum used on USGS topographic maps is shown on the bottom left corner of USGS topographic maps; it is also available for GPS receivers.

Indicate whether the facility is on Indian country lands, and if so, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable).

Indicate whether you are seeking coverage under this permit as a "federal operator" as defined in Appendix A. Also check the ownership type for the facility (e.g., Federal Facility, Privately Owned Facility, Municipality, County Government, Corporation, State Government, Tribal Government, School District, District, Mixed Ownership [e.g., public/private], Municipal or Water District).

Enter the estimated area of industrial activity at your facility exposed to stormwater to the nearest quarter acre.

List the four-digit Standard Industrial Classification (SIC) code or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 40 CFR 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), (vii), or (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes covered under the MSGP. Also provide the applicable sector and subsector associated with the SIC code or activity code for your primary industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.

If your facility has co-located industrial activities that are not identified as your primary industrial activity, identify the sector and subsector codes that describe these other industrial activities.

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

NPDES Form Date (06/15) This Form Replaces Form 3510-6 (09/08)

Form Approved OMB No. 2040-0004

For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 8.S of the permit).

For Sector G facilities (Metal Mining), check the type of ore(s) mined at the facility.

Indicate whether your facility is currently inactive and unstaffed. Note that if your facility becomes inactive and unstaffed during the permit term, you must submit an NOI modification to reflect the change.

**Section E. Discharge Information**

You must confirm that you understand that the MSGP only authorizes the allowable stormwater discharges listed in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.1.3. Any discharges not expressly authorized under the MSGP are not covered by the MSGP or the permit shield provision of the CWA Section 402(k) and they cannot become authorized or shielded by disclosure to EPA, state, or local authorities via the NOI to be covered by the permit or by any other means (e.g., in the SWPPP or during an inspection). If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.1.2 and 1.1.3 will be discharged, they must either be eliminated or covered under another NPDES permit.

Depending on your industrial activities, your facility may be subject to federal effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 2.1.3 of the MSGP, and check any appropriate boxes on the NOI form.

You must identify all the outfalls from your facility that discharge stormwater. Each outfall must be assigned a unique 3-digit ID (e.g., 001, 002, 003). You must also provide the latitude and longitude for each outfall from your facility. Indicate whether any outfalls are substantially identical to an outfall already listed, and identify the outfall it is identical to. For each unique outfall you list, you must specify the name of the first water of the U.S. that receives stormwater directly from the outfall and/or from the MS4 that the outfall discharges to. You must specify whether any receiving waters that you discharge to are listed as "impaired" as defined in Appendix A, and the pollutants for which the water is impaired. You must also check identify any Total Maximum Daily Loads (TMDL) that have been completed for any of the waters of the U.S. that you discharge to. You must also provide information about the outfall latitude/longitude, including data source, the scale (if applicable), and the horizontal reference datum. See the instructions in Section D for more information about determining the latitude and longitude.

Identify whether your facility discharges into a Municipal Separate Storm Sewer System (MS4). If yes, provide the name of the MS4 operator. If you are uncertain of the MS4 operator, contact your local government for that information.

Indicate whether discharges from the facility will enter into a water of the U.S. that is designated as a Tier 2, Tier 2.5, or Tier 3 water. A list of Tier 2, 2.5, and 3 waters is provided as Appendix L. If the answer is "yes", name all waters designated as Tier 2, Tier 2.5, or Tier 3 to which the facility will discharge. Note that you are ineligible for coverage if you are a new discharger or a new source to waters designated as Tier 3 (outstanding national resource waters) for antidegradation purposes under 40 CFR 131.13(a)(3).

If you are subject to any benchmark monitoring requirements for metals (see the requirements applicable to your Sector(s) in Part 8 of the permit), indicate the hardness for your receiving water(s). See Appendix J of the permit for information about determining waterbody hardness.

If you are subject to benchmark monitoring requirements for hardness-dependent metals you must also answer whether your facility discharges into any saltwater receiving waters.

Indicate whether your facility will discharge to a federal CERCLA site listed in Appendix P. Note that if your facility will discharge into a federal CERCLA site listed in Appendix P, you are not eligible for coverage under this permit unless you notify the EPA Regional Office in advance and the EPA Regional Office authorizes coverage under this permit after you have included adequate controls and/or procedures designed to ensure that discharges will not lead to recontamination of aquatic media at the CERCLA site such that your discharge will cause or contribute to an exceedance of a water quality standard.

**Section F. Stormwater Pollution Prevention Plan (SWPPP) Information**

All facilities eligible for coverage under this permit are required to prepare a SWPPP in advance of filing the NOI, in accordance with Part 5. Indicate whether the SWPPP has been prepared in advance of filing the NOI.

Indicate the contact information (name, phone, and email) for the person who developed the SWPPP for this facility.

You identify how your SWPPP information will be made available consistent with Part 5.4 and 7.3 of the permit. If you are making your SWPPP publicly available on a web site, check Option 1 and provide the appropriate Internet URL address. If you are not providing a URL, check Option 2 and provide the selected SWPPP information on this NOI form. You may copy and paste this information directly from your SWPPP.

**Section G. Endangered Species Protection**

Using the instructions in Appendix E, indicate the Part 1.1.4.5 criterion (i.e., A, B, C, D, or E) you are eligible under with regard to the protection of federally listed endangered and threatened species and designated critical habitat. A description of the basis for the criterion selected must also be provided.

If criterion B is selected, provide the NPDES ID (i.e., permit tracking number) for the other operator who has certified their eligibility under this permit. The NPDES ID was assigned when the operator received coverage under this permit.

If criterion C is selected, you must specify the federally-listed species or designated critical habitat that are located in the "action area" of the facility. You must also indicate under which scenario you determined you were eligible to submit your NOI under criterion C using Appendix E, and answer any corresponding questions.

If criterion D or E is selected, attach copies of any communications between you and the U.S. Fish and Wildlife Service and National Marine Fisheries Service to this NOI.

**Section H. Historic Preservation**

If the project is not located in Indian country lands, indicate whether the project is located on a property of religious or cultural significance to an Indian tribe, and if so, provide the name of the Indian tribe associated with the property. Use the instructions in Appendix F to complete questions on the NOI form regarding historic preservation.

Instructions for Completing EPA Form 3510-6

**Notice of Intent (NOI) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

NPDES Form Date (06/15) This Form Replaces Form 3510-6 (09/08)

Form Approved OMB No. 2040-0004

**Section I. Certification**

Certification statement and signature (see Section 8.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

An unsigned or undated NOI form will not be considered eligible for permit coverage.

**Modifying Your NOI**

If you have been granted a waiver from your Regional Office from electronic reporting, and if after submitting your NOI you need to correct or update any fields on this NOI form, you may do so by indicating changes on this same form.

**Paperwork Reduction Act Notice**

Public reporting burden for this NOI is estimated to average 3.7 hours plus an additional 2 hours for certain respondents required to gather hardness data. This estimate includes time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number on any correspondence. Do not send the completed form to this address.

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper NOI form, you must send your NOI by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2015 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**For Overnight/Express Mail Delivery:**

Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: 2015 MSGP Reports  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Visit this website for instructions on how to submit electronically:

<http://water.epa.gov/pollution/npdes/stormwater/Stormwater-eNOI-System-for-EPA-MultiSector-General-Permit.cfm>

## **ENCLOSURE 2**

**Concurrence Letters From the United States Department of  
Interior, Fish and Wildlife Service**

**ADESH-16-045**

**LA-UR-16-21721**

**Date:** MAR 22 2016



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office  
2105 Osuna NE  
Albuquerque, New Mexico 87113  
Phone: (505) 346-2525 Fax: (505) 346-2542

February 12, 1999

Cons. #2-22-98-I-336  
Cons. #2-22-95-I-108

David A. Gurule, Acting Area Manager  
Department of Energy  
Albuquerque Operations Office  
Los Alamos Area Office  
Los Alamos, New Mexico 87545

Dear Mr. Gurule:

This responds to your letter dated August 6, 1998, requesting our review and concurrence with the Threatened and Endangered Species Habitat Management Plan (HMP) for Los Alamos National Laboratory (LANL). The HMP was prepared by the LANL Ecology Group for the Department of Energy (DOE) as part of the Dual-Axis Radiographic Hydrodynamics Test Facility (DAHRT) Mitigation Action Plan. The U.S. Fish and Wildlife Service (Service) has worked closely with LANL in the development of the HMP. As a result of discussions and meetings following the August 6, 1998, submittal, additional information/clarification was provided via letters, updated Biological Evaluations/HMPs, and e-mail messages, dated September 8, October 20, November 25, and December 9, 1998, and January 4, January 22, and January 29, 1999. The purpose of the HMP is to provide for the protection of threatened and endangered species and their habitats on LANL. The HMP consists of three components that must be used together to assure proper management of the threatened and endangered species: an Overview Document, Site Plans, and Monitoring Plans. It was determined that if all the restrictions and protective measures outlined in the HMP are strictly followed, the implementation of this HMP may affect, but is not likely to adversely affect the Mexican spotted owl (owl), peregrine falcon (falcon), bald eagle (eagle), and southwestern willow flycatcher (flycatcher). The Biological Evaluation (BE) also considered potential impacts on the black-footed ferret, arctic peregrine falcon, and whooping crane. It was determined that there would be no effect on these species because of a lack of habitat.

Property at LANL varies from remote isolation to heavily developed and/or industrialized. The Service agrees, as stated in the Overview document, that a number of activities at LANL have the potential to adversely impact threatened and endangered species. Many of the industrial processes used at LANL have involved hazardous and radioactive materials. These materials as well as remediation of potential release sites may disturb

or reduce population viability of threatened and endangered species. In addition, other potential sources of disturbance or habitat alterations are possible as a result of the residential and commercial development in the LANL area. While the HMP identifies potential sources of adverse effects, this consultation does not necessarily cover all of those impacts. The Service does not anticipate that DOE will be able to plan all of its operations at LANL in accordance with this plan. The direct effects of most actions can be minimized through implementation of the HMP; however, a more thorough assessment is necessary to adequately evaluate the indirect and cumulative impacts of all actions that are funded, authorized, and permitted by DOE, as well as potential impacts from interrelated and interdependent actions. It was agreed (by Service, DOE, and LANL personnel) that consultation concerning ongoing LANL operations would be handled separately from the HMP, under the consultation on the Site-Wide EIS.

The Site Plans identify the particular areas of LANL where operations might impact known occupied or potential habitat for the flycatcher, eagle, falcon, and owl. Suitable habitat for these species, along with protective buffer areas surrounding their habitat, have been designated as Areas of Environmental Interest (AEIs). For the flycatcher, one AEI was established based on an observation of a migrant male flycatcher in 1997. The AEI is located in the Pajarito wetland area and includes the best available riparian habitat. For eagles, one AEI has been identified for wintering habitat that exists along the Rio Grande on the eastern edge of LANL. It is based on the locations of known and potential roost sites. For the falcon, four AEIs have been identified. They consist of the habitat previously identified under the 1985 interagency agreement. These areas are centered on deep canyons on the eastern side of LANL or on adjacent lands. LANL has agreed to implement the recommended management guidelines, which utilize four management zones (A through D) to protect nesting peregrine falcons from disturbance. For the owl, six AEIs have been identified, but only one of these sites is known to be occupied. These AEIs are based on and located in canyons that have been defined as suitable nest/roost habitat.

The AEI management section of each Site Plan provides guidelines for LANL operations to reduce or eliminate threats to each species. The primary threats on LANL property are (1) impacts on habitat quality from LANL operations and (2) disturbance of nesting or roosting birds. The site plans provide information on their location and guidelines for their management. The AEI Site Plans consist of a species description, descriptions of the AEIs for the species, descriptions of current impacts in the AEIs, management plans that describe allowable activities within core and buffer areas under the guidelines of the sites plan and protective measures. Activities discussed in the site plans include day to day activities, such as access into an AEI, as well as long-term projects, such as levels of habitat alteration in the buffer area of an AEI. Restrictions will be implemented on activities that could cause disturbance (people, vehicles and machinery, aircraft, light production, and noise) within occupied AEIs. The location of a potential disturbance activity within the AEI, the occupancy status of the AEI, and the type of activity all affect whether or not an activity is allowable. Habitat alterations are always restricted in core areas, but a limited amount of future development is allowed in currently undeveloped DOE-controlled buffer areas under the guidelines of this site plan as long

as it does not alter habitat in the undeveloped AEI (including light and noise guidelines). The purpose of buffer areas is to protect core areas from undue disturbance or habitat alteration or habitat degradation. Each AEI is specific to the situation or circumstances of the site it covers. According to the HMP, development beyond the cap established for each AEI, or greater than 2 hectares in size, including the developed-area border, requires independent review for ESA compliance.

Varying amounts of development and/or ongoing activities exist in the cores and buffers of each AEI. These developments may include residential, commercial, and light industrial areas, as well as roads and utility corridors. Existing/ongoing activities may include periodic scientific surveys, power line maintenance, recreational use, residential development, ER Program activities, and possible use of a firing site. Potential disturbance may be associated with automobile and truck traffic, construction activities, a live-fire range, explosives testing, and aircraft traffic at the County airport. Ongoing activities in developed areas constitute a baseline condition for the AEIs and are not restricted. New activities including further development within already existing developed areas are not restricted unless they impact undeveloped portions of an AEI core. If a proposed action within a developed area does not meet site plan guidelines, it must be individually reviewed for ESA compliance.

Some activities such as utility corridor maintenance, fuels management, and a limited amount of development are allowed in each AEI (as described in the HMP). The potential impacts of these activities are considered to be insignificant or discountable because they will occur in habitat that has been previously disturbed or is of poor quality due to its size or proximity to already developed areas. It is our understanding (based on the January 22, 1999, e-mail response from Terry Foxx) that the fuels management activities within the owl AEIs will only consist of ongoing and proposed fire protection activities around existing facilities (e.g. thinning around buildings) or those activities that are already covered under the Dome Fire Emergency BA. The other fire management activities mentioned in the HMP will go through the ESH-ID process and further consultation with the Service when a fire management plan is completed in the future.

In general, activities that detrimentally alter habitat in an AEI or would cause unacceptable disturbance to the species inhabiting the AEI are not allowed under the guidelines of a Site Plan. The Site Plans are designed to minimize impacts to threatened and endangered species and their habitat. The protective measures and restrictions outlined in the Site Plans were developed using the best available data, in cooperation with Service biologists.

The U.S. Fish and Wildlife Service concurs with DOE's determination that implementation of LANL's HMP may affect, but is not likely to adversely affect the Mexican spotted owl, American peregrine falcon, bald eagle, and southwestern willow flycatcher based on the protective measures described in the BA and HMP. If all the restrictions and protective measures outlined in the HMP are strictly followed, potential impacts on owls, falcons, eagles, and flycatchers are expected to be insignificant or

David A. Gurule, Acting Area Manager

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discountable for the following reasons: 1) appropriate seasonal restrictions will be implemented to avoid disturbance to potentially breeding flycatchers, peregrines, and owls and wintering eagles; 2) no nest or roost habitat for any listed species will be altered; 3) the total amount of potential foraging habitat that could be impacted within each species home ranges is expected to be insignificant compared to the amount of available foraging habitat throughout the area; 4) monitoring plans have been developed as an integral part of the HMP; and 5) a mechanism for incorporating necessary technical and regulatory changes and updating the HMP has been included (page 32 of the Overview Document).

In future communications regarding this project, please refer to Consultation #2-22-98-I-336. If we can be of further assistance, please contact Carol Torrez of my staff at (505) 346-2525, ext. 115.

Sincerely,



Jennifer Fowler-Propst  
Field Supervisor

cc:

→ Teralene Foxx, Project Manager, Ecology Group, Los Alamos National Laboratory,  
P.O. Box 1663, Mail Stop M887, Los Alamos, New Mexico 87545  
Elizabeth Withers, U.S. Department of Energy, Los Alamos Area Office, 35<sup>th</sup> Street, Los  
Alamos, New Mexico  
Field Supervisor, Ecological Services, U.S. Fish and Wildlife Service, Phoenix,  
Arizona



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 Osuna NE  
Albuquerque, New Mexico 87113  
Phone: (505) 346-2525 Fax: (505) 346-2542

December 9, 2013

Cons. #02ENNM00-2014-I-0014

Geoffrey L. Beausoleil, Acting Manager  
National Nuclear Security Administration, Los Alamos Field Office  
Department of Energy  
Los Alamos, New Mexico 87544

Dear Mr. Beausoleil:

Thank you for your biological assessment entitled, "Biological Assessment of the Effects of Implementing the Jemez Mountains Salamander Site Plan on Federally Listed Threatened and Endangered Species at Los Alamos National Laboratory" (BA); the request for informal consultation and conferencing received on July 25, 2013 and supplemental information supplied in the "Jemez Mountains Salamander (*Plethodon neomexicanus*) Los Alamos National Laboratory (LANL) Site Plan" (Site Plan); and emails dated November 19 and December 3, 2013. The Department of Energy (DOE) requested concurrence with the determination of effects for the endangered Jemez Mountains salamander (*Plethodon neomexicanus*) (salamander) pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. § 1531 *et seq.*). Your proposed action consists of implementing the Site Plan, and includes of the incorporation of this Site Plan into LANL's Habitat Management Plan (HMP). The HMP was consulted upon in 1999 (Consultation #2-22-981-336) as the primary mechanism to ensure compliance with the ESA at LANL. The actions described in the Site Plan and analyzed in the BA, and supplemental emails are hereby incorporated by reference. You determined that implementing the Site Plan "may affect, is not likely to adversely affect" the salamander, and includes placing restrictions on certain types of work in areas identified as core habitat for the salamander on LANL property with the purpose of ensuring that effects to the salamander from those actions identified in the Site Plan are insignificant and discountable.

The Site Plan does not include any areas within designated salamander critical habitat, indicating that no critical habitat will be affected. The Site Plan has modeled and field validated the model to identify the areas on LANL property with the highest potential to be occupied by salamanders based on habitat features for the salamander. Each area identified by the modeling is termed "Area of Environmental Interest" (AEI) and consists of a "core area" and a "buffer area". The core area habitat is defined as suitable habitat where the salamander occurs or may occur at LANL. The core area habitat consists of sections of north-facing slope that contain the required

micro-habitat to support salamanders. The buffer area is 328 feet (100 meters) wide extending outward from the edge of the core area. Only the Los Alamos Canyon AEI is known to be occupied based on surveys. Surveys for the salamander are known to have a very low detection rate for occupied areas and DOE has assumed that all AEIs at LANL are occupied at all times by the salamander.

Within the Site Plan, DOE has assessed activities that could cause habitat alteration and includes any action that alters the soil structure, vegetative components necessary to the species, water quality, or hydrology in undeveloped areas of an AEI. If an activity were to take place outside of the AEI the activity will be assessed if it will have effects inside the AEI core. Within the core areas, only activities specified within the Site Plan and those that have no effect in the core areas (e.g. no habitat alterations or effects within the core areas) will be conducted without further consultation with the Service. Habitat alterations also include soil pits for soil samples deeper than 6 inches (15.2 centimeters) using either hand or mechanized augers. Within the Site Plan, DOE is proposing fuels management practices to reduce wildfire risk and maintenance of utility corridors within the AEIs. The likelihood that salamanders may be affected by the actions in the Site Plan is very low. To ensure that effects to the salamander are insignificant and discountable, the Site Plan incorporates the following conservation measures as restrictions to the identified work:

#### **Fuels Management Practices to Reduce Wildfire Risk**

- a. Within undeveloped core areas, thinning trees to a level of 80% canopy cover or higher may occur; tree thinning below 80% canopy cover is not part of the action under this consultation.
- b. Large logs on the ground will be left in place and not chipped.
- c. Large trees that are felled will be left as large logs on the ground
- d. When appropriate, smaller trees and understory shrubs that may be thinned will be dispersed and left on-site to aid in soil moisture retention.
- e. In buffer areas, thinning of trees may occur to the current LANL-approved prescription level; clear-cutting will not occur.
- f. Thinning activities will not occur during the rainy season when salamanders are surface active, between July 1 – October 31. Thinning activities may occur earlier in October if freezing temperatures are present.
- g. In the unlikely event that a salamander is observed surface active during thinning activities, all activities shall cease, and the Service will be notified.

#### **Utility Corridors**

- a. Cutting trees that threaten power lines may occur within 26 feet (8 meters) of either side of an existing utility line at LANL
- b. New utility lines and utility lines requiring clearance of a right-of-way greater than 52 feet (16 meters) total in core habitat is not part of the action under this consultation.

Geoffrey L. Beausoleil, Acting Manager

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Habitat alterations other than the fuels management practices and utility corridor maintenance described above will not occur in undeveloped core areas under the guidelines of the Site Plan or this consultation. The Service concurs with DOE's determination regarding the salamander for the following reasons:

Within the Site Plan, DOE has placed the above detailed restrictions to ensure that any effects to the salamander and its habitat remain insignificant and discountable. Canopy cover will remain at 80% or greater in undeveloped core areas and fire management actions will occur outside of the salamander surface activity period. Maintaining utility line corridors in areas with existing infrastructure (the utility lines) by removing individual hazard trees is not expected to have any measurable effect on salamanders or their potential habitat. Consequently, we concur that potential effects to the salamander from the proposed action will be insignificant and discountable.

This concludes section 7 consultation regarding the proposed action. If monitoring or other information results in modification or the inability to complete all aspects of the proposed action, consultation should be reinitiated. Please contact the Service if: 1) future surveys detect listed, proposed or candidate species in habitats where they have not been previously observed; 2) the proposed action changes or new information reveals effects of the proposal to listed species that have not been considered in this analysis; or 3) a new species is listed or critical habitat designated that may be affected by the action.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. In future correspondence regarding this project, please refer to consultation #02ENNM00-2014-I-0014. If you have any questions, please contact Michelle Christman of my staff at (505) 761-4715.

Sincerely,

  
Wally Murphy  
Field Supervisor

cc:

Wildlife Biologist, Cuba Ranger District, Cuba, NM (Attn: Ramon Borrego)  
Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office  
2105 Osuna Road NE  
Albuquerque, New Mexico 87113  
Telephone 505-346-2525 Fax 505-346-2542  
[www.fws.gov/southwest/es/newmexico/](http://www.fws.gov/southwest/es/newmexico/)

August 6, 2015

Cons. # 02ENNM00-2015-I-0538

Kimberly Davis Lebak, Manager  
Department of Energy  
National Nuclear Security Administration  
Los Alamos Field Office  
Los Alamos, New Mexico 87544

Dear Ms. Lebak:

This responds to your July 9, 2015, cover letter and biological assessment (BA) requesting informal consultation for the addition of the Western distinct population segment of the yellow-billed cuckoo (*Coccyzus americanus occidentalis*) (cuckoo) and the New Mexico meadow jumping mouse (*Zapus hudsonius luteus*) (jumping mouse) to the Los Alamos National Laboratory Habitat Management Plan, Los Alamos, New Mexico. As documented in your BA, which is hereby incorporated by reference, we find that your proposed action will have insignificant and discountable effects to the cuckoo and the jumping mouse. Therefore, the Service concurs with your determination of "may affect, is not likely to adversely affect" for the cuckoo and the jumping mouse.

This concludes section 7 consultation regarding the proposed action. If monitoring or other information results in modification or the inability to complete all aspects of the proposed action, consultation should be reinitiated. Please contact the Service if: 1) future surveys detect listed, proposed or candidate species in habitats where they have not been previously observed; 2) the proposed action changes or new information reveals effects of the proposal to listed species that have not been considered in this analysis; or 3) a new species is listed or critical habitat designated that may be affected by the action.

Kimberly Davis Lebak, Manager

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Thank you for your concern for endangered species and New Mexico's wildlife habitats. If you have any questions, please contact Eric Hein of my staff at the letterhead address or at (505) 761-4735.

Sincerely,

ERIC  
HEIN

Digitally signed by Eric Hein  
DN: cn=Eric Hein, o=New Mexico Department of Game and Fish, ou=New Mexico Department of Game and Fish, email=eric.hein@dmr.state.nm.us, c=US

for Wally Murphy  
Field Supervisor

cc:

Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico

# **ENCLOSURE 3**

**Multi-Sector General Permit (MSGP) Notice of Intent  
(NOI) Reporting Pursuant to Part B.12.H**

**ADESH-16-045**

**LA-UR-16-21721**

**Date: MAR 22 2016**

---



***Environmental Protection Division  
Environmental Compliance Programs (ENV-CP)***  
PO Box 1663, K490  
Los Alamos, New Mexico 87545  
(505) 667-0666

***Date:*** OCT 29 2015  
***Symbol:*** ENV-DO-15-0309  
***LA-UR:*** 15-28383  
***Locates Action No.:*** N/A

Mr. Brent Larsen  
Water Quality Protection Division (6WQ)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

Dear Mr. Larsen:

**Subject: National Pollutant Discharge Elimination System (NPDES) Permit Tracking No. NMR053195, Multi-Sector General Permit (MSGP) Notice of Intent (NOI) Reporting Pursuant to Part B.12.H.**

In submitting a NOI for coverage under the new NPDES Multi-Sector General Permit, Los Alamos National Security (LANS) experienced significant problems with EPA's NeT NPDES eReporting Tool which resulted in certification of the NOI on September 3 and initial submission of a NOI with incomplete outfall attribute data and incorrect information. During this time LANS staff contacted EPA's NOI Processing Center for support and was given the recommendation to contact Region 6 personnel for further guidance. Per this direction, on September 1, 2015, Terrill Lemke left you a voicemail summarizing the issues and potential impacts of the difficulties experienced with the new electronic reporting system. For additional clarification, the following is a summary of the timeline of events associated with the NOI submission.

- Monday, August 31, 2015
  - Initiated NOI submission using the NeT NPDES eReporting Tool.

Mr. Brent Larsen  
ENV-DO-15-0309

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- As data was entered into each data field on the NOI form, the Tool was very slow in processing the data and allowing entry into the next field. This created a significant waiting time.
- Upon reaching the fields on the NOI form where outfall attribute data was entered the Tool began to randomly crash, repeatedly deleting all unsaved data.
- Tuesday, September 1, 2015
  - Tool continued to be very slow and randomly crash, repeatedly deleting all unsaved data.
  - For each outfall, when listing the constituents associated with impaired waters, the Tool's auto population feature initially displayed incorrect data which required additional editing and then eventually stopped functioning and caused the Tool to crash.
  - Much of the outfall attribute data had to be reentered multiple times before it was possible to successfully save it to the system.
  - After each save or Tool crash the eReporting Tool would close the NOI form. The time required for the Tool to repeatedly reopen the form made data entry very time consuming.
  - LANS staff contacted the EPA NOI Processing Center on the afternoon of Sept 1 for technical support:
    - NOI Processing Center staff stated that they had been "flooded" with calls over the past week on Tool problems.
    - LANS staff expressed their concern about the length of time being required to enter data and the potential inability to complete the NOI form by the Sept 2 deadline. No solution was available.
    - LANS staff explained the difficulty with entering outfall information for 73 outfalls and NOI Processing Center staff stated that they had received numerous calls on problems with entering outfall data and that some permittees couldn't even enter 20 outfalls.
    - NOI Processing Center staff recommended contacting Regional personnel to notify them of the situation and to seek additional guidance.
  - The eReporting Tool went down at approximately 3:30 pm MDT and remained down until after 9 pm MDT. This eliminated the opportunity to input data during normal business hours.
- Wednesday, September 2, 2015
  - Continued decrease in the performance of the eReporting Tool.
    - Increase in the time for the Tool to process information after entry of each item of data.
    - Increased frequency in the Tool crashing.
    - For each outfall, when listing the constituents associated with impaired waters, the form had to be saved after entry of each individual constituent. Entry of more than one constituent without saving would cause the Tool to crash.

Mr. Brent Larsen  
ENV-DO-15-0309

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- With the decreased performance of the eReporting Tool LANS staff contacted the EPA NOI Processing Center for direction and Processing Center staff stated the following:
  - They were aware of the problems with the Tool but could provide no solutions or technical direction.
  - They had been reporting daily to EPA on the problems and EPA was definitely aware of the issues.
  - When asked about taking the Tool down at 3:30 MDT on Sept. 1, staff stated that they thought the programmers may have taken the system down to assess the problems.
  - Stated again that they had received many calls about technical issues with the Tool.
  - The more data that was entered the slower the Tool would get.
  - When asked again about the possibility that LANS may not be able to get all information into the NOI, staff stated that LANS would be able to access the submitted NOI to modify/add data after the 30 day waiting period.
- eReporting Tool went down again at 3:30 pm MDT and did not come back up until after 10 pm MDT, again eliminating the opportunity to input data during normal business hours.
- The LANS NOI with all information except some remaining outfall attribute data was submitted by the Preparer at 10:50 pm MDT.
  - The LANS NOI certification signatory was prepared to certify the NOI at this time but didn't get notification that the NOI was ready for certification until 9:37 am MDT on Sept. 3, almost 11 hours later.
  - The NOI was certified on Sept 3, 2015.

Additionally, the NeT NPDES eReporting Tool did not provide dissolved Thallium as a constituent option, but only allowed the selection of total Thallium as an impaired water pollutant under a "Cause Group" when "Metals (other than Mercury)" was selected from the drop down menu. This resulted in LANS having to enter total Thallium as an impaired water pollutant in error for the following outfalls: 002, 005, 006, 007, 008, 009, 010, 011, 012, 016, 017, 018, 019, and 020. LANS appreciates any assistance you may have relative to the total Thallium vs. dissolved Thallium issue. During a subsequent quality assurance evaluation, LANS staff also determined that total Copper was erroneously entered as an impaired water pollutant for outfall 051 and needs to be deleted from the NOI.

LANS is committed to maintaining compliance with the MSGP requirements. Per Section B.12.H of the MSGP, the LANS NOI will be modified to include the remaining outfall attribute data that could not be included on the initial submission and to delete Copper as an impaired water pollutant for outfall 051. LANS coverage under the 2015 MSGP became effective on October 3, 2015, and with the NOI now accessible, actions to update the NOI have been initiated.

Mr. Brent Larsen  
ENV-DO-15-0309

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Any additional direction or guidance you may have would be appreciated. Please contact Terrill W. Lemke :  
(505) 665-2397 of the Environmental Compliance Programs (ENV-CP) if you have any questions.

Sincerely,



Anthony R. Grieggs  
Group Leader  
Environmental Compliance Programs (ENV-CP)  
Los Alamos National Security, LLC

ARG:MTS:TWL:HLW/lm

Cy: Nasim Jahan, USEPA/Region 6, Dallas, TX, (E-File)  
Bruce Yurdin, NMED/SWQB, Santa Fe, NM, (E-File)  
Gene E. Turner, LASO-NS-LP, (E-File)  
Jordan Arnsward, LASO-NS-PI, (E-File)  
Kirsten Laskey, EM-LA, (E-File)  
Craig Leasure, PADOPS, (E-File)  
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[env-correspondence@lanl.gov](mailto:env-correspondence@lanl.gov)

# **ENCLOSURE 4**

**Industrial Sites and Outfalls by Sector**

**ADESH-16-045**

**LA-UR-16-21721**

**Date:**

**MAR 22 2016**

---

## Industrial Sites and Outfalls by Sector

Sector	Industrial Site	Monitored Outfalls	Substantially Identical Outfalls
A	TA-3-38 Carpenter Shop	073	074
AA	TA-3-38 Metals Fab Shop	002	N/A
AA	TA-3-39 & 102 Metal Shop	004	N/A
AA, F	TA-3-66 Sigma Complex	018	013 014 015 016 017 019
AA, F	TA-3-66 Sigma Complex	020	N/A
D	TA-60 Asphalt Batch Plant	043	N/A
K	TA-54 Area G	051	052
K	TA-54 Area G	072	070 071
K	TA-54 Area G	053	065 066
K	TA-54 Area G	069	059 058 057 056 055 054 067 068 060 061 062 063 064
K	TA-54 Area L	050	N/A
K	TA-54 RANT	047	048 046 045 044
N	TA-60 MRF	029	N/A

Sector	Industrial Site	Monitored Outfalls	Substantially Identical Outfalls
O	TA-3-22 Power & Steam Plant	005	006
O	TA-3-22 Power & Steam Plant	009	007 008 010
O	TA-3-22 Power & Steam Plant	012	011
P	TA-54 MFW	049	N/A
P	TA-60 Roads and Grounds	031	030
P	TA-60 Roads and Grounds	039	038 040
P	TA-60 Roads and Grounds	036	037
P	TA-60 Roads and Grounds	032	033 034 035
P	TA-60 Roads and Grounds	042	041
P	TA-60-1 Heavy Equipment Yard	022	021 023 024 025
P	TA-60-2 Warehouse	026	027 028
P	TA-60-2 Warehouse	075	N/A

N/A = Not Applicable

## **APPENDIX D**

### **Non-Stormwater Discharge Certification**

# NON-STORM WATER DISCHARGE

## ASSESSMENT AND CERTIFICATION

Completed

by: William Bursin

Title: DEP, CTSEC

Date: 8/20/15

Date of Evaluation	Outfall Directly Observed During the Test (Location)	Identify Potential Significant Sources of Non-Storm Water	Method Used to Test or Evaluate Discharge	Is Non-Storm Water Present?	How Often?	Describe Results from Test for the Presence of Non-Storm Water Discharge
8/20/15	002, 003	NONE	Visual	No	N/A	NONE Present

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and completed. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name &

Official

Title:

William Bursin, DEP, CTSEC

Signature:

William Bursin

Date Signed:

8/20/15

## **APPENDIX E**

### **SWPPP Amendment Log**

## SWPPP AMENDMENT TRACKING LOG

[illegible]

## **APPENDIX F**

### **Facility Inspections:**

Inspection Forms and Completed Reports for:  
Monthly Routine Inspections  
Quarterly Visual Assessments  
Annual Reports

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX G**

### **Spill Reports**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX H**

### **Stormwater Monitoring Records and Results/MDMRs (Current Permit)**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX H1**

### **Sampling Data from Previous Permit Term (MSGP 2008)**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX I**

### **Records of Employee Training Related to the SWPPP**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **APPENDIX J**

### **Corrective Action Reports**

#### **Documentation of Repairs and Maintenance of Control Measures**

Kept in LANL Hard Copy  
TA-3, Building 1437, RM 105AG

## **Appendix K**

### **Critical Habitat Documentation for LANL**

K-1, Threatened and Endangered Species Habitat Management Plan (HMP) for LANL

K-2, U.S. Fish & Wildlife Concurrence  
(Biological Assessment of Jemez Mtn Salamander Site Plan)

K-3, TA-3 and TA-60 IPac Trust Resource Report

K-1, Threatened and Endangered Species Habitat Management Plan  
(HMP) for LANL

LA-UR-14-21863

*Approved for public release;  
distribution is unlimited.*

*Title:* **Threatened and Endangered Species  
Habitat Management Plan for  
Los Alamos National Laboratory**

*Author(s):* Environmental Protection Division  
Resources Management Team

*Intended for:* Reference purposes

*Date:* March 2014



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## ACRONYMS

AEI	Area of Environmental Interest
BA	biological assessment
Bd	Batrachochytrium dendrobatidis
BSL-3	Biosafety Level 3
COPCs	chemicals of potential concern
DARHT	Dual-Axis Radiographic Hydrodynamic Test (Facility)
dB	Decibel
DDT	(dichloro-diphenyl-trichloroethane)
DOE	U.S. Department of Energy
EPA	Environmental Protection Agency
ESA	Endangered Species Act of 1973
fc	foot candles
FR	Federal Register
GIS	geographic information system
HMP	Threatened and Endangered Species Habitat Management Plan
HVAC	heating, ventilation, and air conditioning
LANL	Los Alamos National Laboratory
NEPA	National Environmental Policy Act
NMED	New Mexico Environment Department
NPDES	National Pollutant Discharge Eliminations System
PCBs	polychlorinated biphenyls
PR-ID	Permits and Requirements Identification
SME	subject matter expert
USFWS	U.S. Fish and Wildlife Service



## **I. THREATENED AND ENDANGERED SPECIES HABITAT MANAGEMENT PLAN GENERAL OVERVIEW**

### **1.0 INTRODUCTION**

Los Alamos National Laboratory's (LANL) Threatened and Endangered Species Habitat Management Plan (HMP) was prepared to fulfill a commitment made in the U.S. Department of Energy's (DOE) "Final Environmental Impact Statement for the Dual-Axis Radiographic Hydrodynamic Test Facility Mitigation Action Plan" (DOE 1996). The HMP received concurrence from the U.S. Fish and Wildlife Service (USFWS) in 1999 (USFWS consultation numbers 2-22-98-I-336 and 2-22-95-I-108). In this 2014 update, we retained the management guidelines from the 1999 HMP for listed species, updated some descriptive information, and added the Jemez Mountains salamander (*Plethodon neomexicanus*), which was federally listed in September 2013 (USFWS consultation number 02ENNM00-2014-I-0014).

### **2.0 ROLE OF SITE PLANS IN THE HMP**

The purpose of the HMP is to provide a management strategy for the protection of threatened and endangered species and their habitats on LANL property. The HMP consists of site plans for federally listed threatened or endangered species with a moderate or high probability of occurring at LANL. The following federally listed threatened or endangered species currently have site plans at LANL: Mexican Spotted Owl (*Strix occidentalis lucida*), Southwestern Willow Flycatcher (*Empidonax trailii extimus*), and the Jemez Mountains salamander. Site plans provide guidance to ensure that LANL operations do not adversely affect threatened or endangered species or their habitats.

### **3.0 DESCRIPTION OF AREAS OF ENVIRONMENTAL INTEREST**

Suitable habitats for federally listed threatened and endangered species have been designated as Areas of Environmental Interest (AEIs). AEIs are geographical units at LANL that are managed for the protection of federally listed species and consist of core habitat areas and buffer areas. The purpose of the core habitat is to protect areas essential for the existence of the specific threatened or endangered species. This includes the appropriate habitat type for breeding, prey availability, and micro-climate conditions. The purpose of buffer areas is to protect core areas from undue disturbance and habitat degradation.

Site plans identify restrictions on activities within the AEIs. Allowable activities are activities that the USFWS has reviewed and provided concurrence that these activities are not likely to adversely affect federally listed species. Activities discussed in site plans include day-to-day activities causing disturbance (hereafter referred to as "disturbance activities"), such as access into an AEI, and long-term impacts, such as habitat alteration.

#### **3.1 Definition and Role of Developed Areas in AEI Management**

**Summary:** Habitat alteration is not restricted in developed areas unless it impacts undeveloped core areas of an AEI (e.g., noise and light impacts on a core area). Current ongoing disturbance activities are not restricted in developed areas. Disturbance activities not currently ongoing are

restricted when impacts occur to undeveloped core areas of an AEI that are occupied by a threatened or endangered species.

Developed areas include all building structures, paved roads, improved gravel roads, paved and unpaved parking lots, and firing sites. The extent of developed areas in each AEI was determined using two methods. First, LANL geographic information system (GIS) analysts placed a 15 m (49 ft) border around all buildings and parking lots. For paved and improved gravel roads, the developed area was defined as the area to a roadside fence, if one exists within 9 m (30 ft) of the road, or 5 m (15 ft) on each side of the road, if there is no fence within 9 m (30 ft). If an area of highly fragmented habitat was enclosed by roads, a security fence, or connected buildings, that area was also classified as developed. Developed areas at firing sites were defined as a circle with a 91-m (300-ft) radius from the most centrally located firing pad. Second, LANL GIS analysts overlaid scanned orthophotos onto a map of the Los Alamos area and digitized all areas that appeared developed. These two information sources were overlaid and combined, so that areas classified as developed by either method were considered developed in final maps and analyses. Some areas were confirmed by ground surveys, such as the firing sites. Developed areas are contained in the HMP GIS database.

Developed areas are located in the core and/or buffer of some AEIs. However, developed areas do not constitute suitable habitat for federally listed species. Current ongoing activities in developed areas constitute a baseline condition for the AEIs and are not restricted. New activities including further development within already existing developed areas are not restricted unless they impact undeveloped portions of an AEI core. For example, if light or noise from a new office building in a developed area were to raise levels in an undeveloped core area, those light and noise levels would be subject to the guidelines on habitat alterations. If a proposed action within a developed area does not meet site plan guidelines, it must be individually reviewed for compliance with the Endangered Species Act of 1973 (ESA).

Building a new structure or clearing land within a previously designated developed area in an AEI core does not add to the size of the developed area. New structures in core areas will not be given any developed-area border unless they are individually reviewed for ESA compliance.

Development occurring in the developed area in an AEI buffer can be given a 15 m (49 ft) developed-area border at the discretion of the project leader or facility manager. To expand the size of a developed area in a buffer based on new developments, please contact a LANL biological resources subject matter expert (SME) (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

### **3.2 General Description of Buffer Areas and Allowable Buffer Area Development**

**Summary:** Limited future development is allowed in the currently undeveloped DOE-controlled buffer area under the guidelines of this HMP as long as it does not alter habitat in the undeveloped AEI core (including light and noise guidelines). Development beyond the cap established for each AEI, or greater than 2 ha (5 ac) in size including the developed-area border, requires independent review for ESA compliance.

The purpose of buffer areas is to protect core areas from undue disturbance or habitat degradation. The current levels of development in buffer and core areas represent baseline conditions for this

HMP. No further development is allowed in the core area under the guidelines of this HMP. A limited amount of development is allowed in buffer areas. Under the guidelines of this HMP, individual development projects are limited to 2 ha (5 ac) in size, including a 15 m (49 ft) developed-area border around structures and a 5 m (15 ft) developed-area border around paved and improved gravel roads. Projects greater than 2 ha (5 ac) in area require individual review for ESA compliance (see exceptions for fuels management activities and utility corridor maintenance). New development projects in AEI buffer areas must be reported to LANL biological resources SMEs for tracking (<http://int.lanl.gov/environment/bio/controls/index.shtml>). Descriptions of each of the AEIs give the total area in each buffer area available for development.

### 3.3 Emergency Actions

**Summary:** Contact DOE and LANL biological resources SMEs as soon as possible.

If safety and/or property is immediately threatened by something occurring within an AEI (for example, wildfire, water line breakage, etc.) managers may activate emergency actions. Contact a LANL biological resources SME (<http://int.lanl.gov/environment/bio/controls/index.shtml>), the Environmental Stewardship Group (1-505-665-8855), or the DOE Los Alamos Field Office (Field Office; 1-505-667-6819) as soon as possible. If the emergency occurs outside of regular business hours, contact the Emergency Management Office (1-505-667-6211). This office will then communicate with the appropriate LANL and DOE Field Office personnel.

## 4.0 IMPLEMENTATION OF SITE PLANS

### 4.1 Roles and Responsibilities

**Summary:** LANL's facility managers and operational staff are responsible for ensuring that activities are reviewed for compliance with all applicable site plans. Figure 1 illustrates the process for utilizing site plans. If activities follow approved guidance, there is no requirement for additional ESA regulatory compliance. However, additional National Environmental Policy Act (NEPA), cultural resources, wetlands, or other regulatory compliance actions may be required.

If an activity or project occurs outside of all LANL AEIs and will not impact habitat within an AEI, it does not have to be reviewed for ESA compliance, unless it is a large project. Projects that are larger than 2 ha (5 ac) or cost more than \$5 million require an individual ESA compliance review, even if they are not located within an AEI.

LANL's facility managers are responsible for determining if operations within their geographic and/or programmatic area of responsibility comply with the guidelines in these site plans. Submission of a Permits and Requirements Identification (PR-ID) for a new or modified project is required under Program Description 400 (LANL 2013) and allows managers to identify the requirements within their project area. Deployed environmental professionals and core LANL biological resources SMEs are available to support facility managers. If activities follow site plan guidelines, they do not require any additional ESA regulatory compliance action. However, NEPA, cultural resources, wetlands, or other regulatory compliance actions are not addressed in site plans and additional compliance actions may be required. It is the responsibility of the project leader or facility management staff to ensure that all requirements are satisfied. If you have

questions, contact biological, cultural, NEPA, or other environmental SMEs. Contacts can be found at <http://int.lanl.gov/environment/compliance/ier/index.shtml>.

A single facility may have one or more AEIs within its boundary and the AEIs may be for different species. Some AEIs overlap. In areas where overlap occurs, project managers must follow the guidelines for AEIs of all involved species.

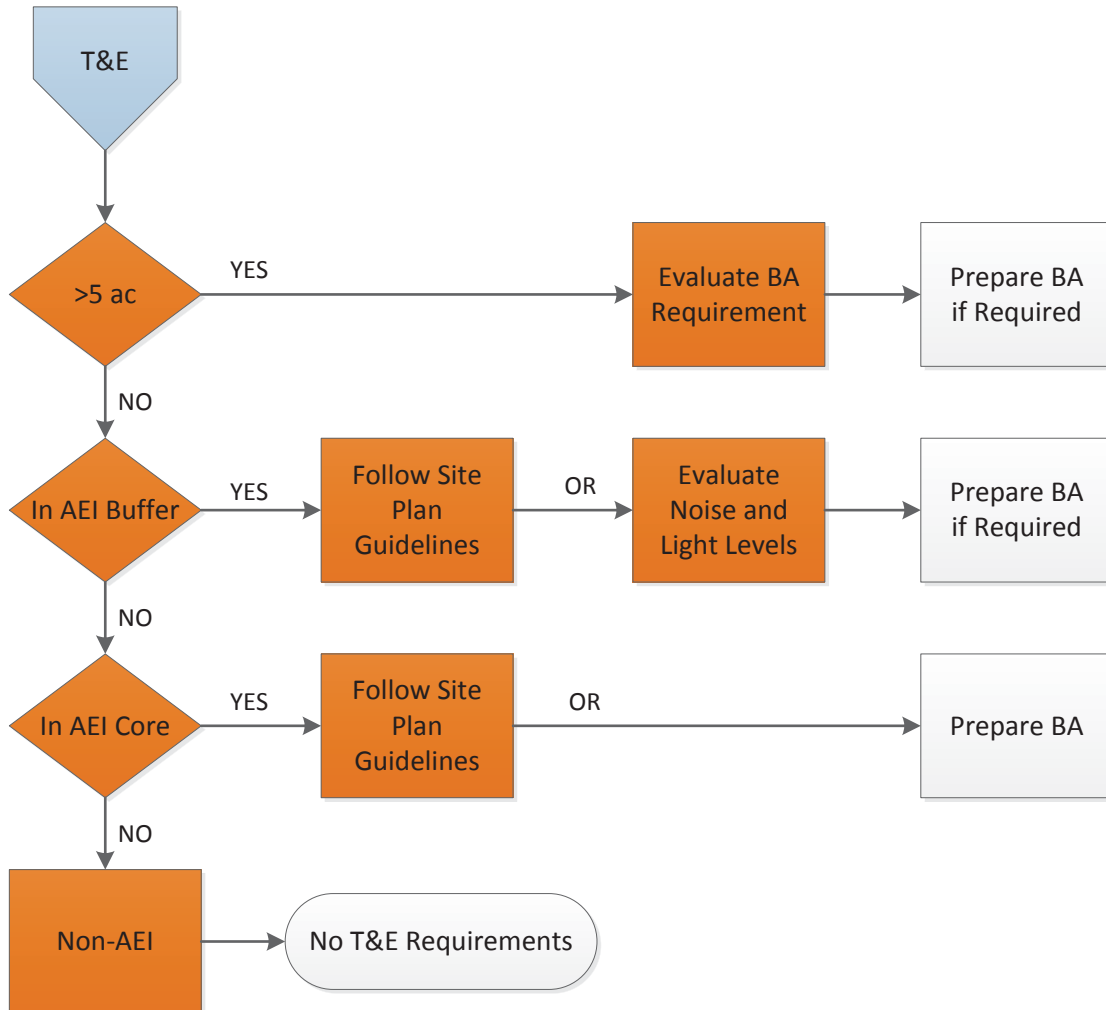


Figure 1. Process flowchart for determining site plan requirements.

## 4.2 If an Activity Does Not Meet Site Plan Guidelines

**Summary:** Activities or projects that do not meet all applicable site plan guidelines must be evaluated individually for compliance with the ESA.

If a project reviewer determines that an activity or project cannot meet the guidelines in applicable site plans, LANL biological resources SMEs evaluate that activity individually for compliance with the ESA. Results of the evaluation of potential impacts allow LANL biological resources SMEs to make recommendations to the DOE Field Office Biological Resources Program Manager

regarding the need for USFWS consultation. An evaluation may result in 1) a DOE Field Office determination that there is no possibility of adverse effects and the activity can proceed, 2) a DOE Field Office suggestion for modifications of the action to avoid adverse effects so that it can proceed, or 3) a DOE Field Office decision to prepare a biological assessment (BA) for the activity and submit it to the USFWS for concurrence. Fieldwork and preparation of a BA can take a few months with an additional 2 to 12 months for DOE Field Office review and then final USFWS concurrence.

#### **4.3 Dissemination of Information**

Although information about threatened and endangered species is not classified, it is considered sensitive information. It is in the best interest of threatened and endangered species to restrict specific knowledge about their locations. Habitat locations of threatened and endangered species are not considered sensitive.

### **5.0 CHANGES IN THE HMP SINCE IMPLEMENTATION**

The HMP received concurrence from USFWS and was first implemented in 1999. Since that time, both the Peregrine Falcon (*Falco peregrinus*) and the Bald Eagle (*Haliaeetus leucocephalus*) have been delisted. Site plans for those species have been removed from LANL's HMP. Both species are protected at LANL under the Migratory Bird Treaty Act, and the Bald Eagle is also protected under the Bald and Golden Eagle Protection Act.

The black-footed ferret (*Mustela nigripes*) is federally listed as endangered. However, no sightings of black-footed ferrets have been reported in Los Alamos County for more than 50 years. In addition, no large prairie dog towns, which are prime habitat for black-footed ferrets, have been observed on DOE property around LANL. Therefore, there is no site plan for this species.

In 2005, the USFWS concurred with DOE's proposal for new Mexican Spotted Owl habitat boundaries based on a revised analysis of Mexican Spotted Owl habitat quality within DOE property around LANL (USFWS consultation number 22420-2006-I-0010).

In 2012, the USFWS concurred with DOE's proposal to modify the habitat boundaries for the Los Alamos Canyon Mexican Spotted Owl AEI due to changes from the fire response activities after the Las Conchas wildfire (USFWS consultation number 02ENNM00-2012-IE-0088).

In 2013, the USFWS concurred with the DOE's new site plan for the Jemez Mountains salamander and its addition to LANL's HMP (USFWS consultation number 02ENNM00-2014-I-0014).

### **6.0 DATA MANAGEMENT**

The data used in the implementation of the HMP is stored in a GIS database at LANL.

## II. AREA OF ENVIRONMENTAL INTEREST SITE PLAN FOR THE MEXICAN SPOTTED OWL

### 1.0 SPECIES DESCRIPTION—MEXICAN SPOTTED OWL

#### 1.1 Status

In 1993, the USFWS determined the Mexican Spotted Owl to be a threatened species under the authority of the ESA, as amended (58 Federal Register [FR] 14248). In 1995, the USFWS released its final recovery plan for the owl (USFWS 1995), which was revised in 2012 (USFWS 2012). The USFWS most recently designated critical habitat for Mexican Spotted Owl in 2004 (69 FR 53181).

#### 1.2 General Biology

The Mexican Spotted Owl is found in northern Arizona, southeastern Utah, and southwestern Colorado south through New Mexico, west Texas, and into Mexico. It is the only subspecies of Spotted Owl recognized in New Mexico (USFWS 1995).

The Mexican Spotted Owl generally inhabits mixed conifer and ponderosa pine (*Pinus ponderosa*; Lawson & C. Lawson) - Gambel oak (*Quercus gambelli*; Nutt.) forests in mountains and canyons. High canopy closure, high stand diversity, multilayered canopy resulting from an uneven-aged stand, large, mature trees, downed logs, snags, and stand decadence as indicated by the presence of mistletoe are characteristic of Mexican Spotted Owl habitat. Some owls have been found in second-growth forests (i.e., younger forests that have been logged); however, these areas were found to contain characteristics typical of old-growth forests. Mexican Spotted Owls in the Jemez Mountains seem to prefer cliff faces in canyons for their nest sites (Johnson and Johnson 1985). The recovery plan for the Mexican Spotted Owl recommends that mixed conifer and pine-oak woodland types on slopes greater than 40 percent be protected for the conservation of this owl.

A mated pair of adult Spotted Owls may use the same home range and general nesting areas throughout their lives. A pair of owls requires approximately 800 ha (1,976 ac) of suitable nesting and foraging habitat to ensure reproductive success. Incubation is carried out by the female. The incubation period is approximately 30 days, and most eggs hatch by the end of May. Most owlets fledge in June, 34 to 36 days after hatching (USFWS 1995). The owlets are “semi-independent” by late August or early September, although juvenile begging calls have been heard as late as September 30. Young are fully independent by early October. The non-breeding season runs from September 1 through February 28. Although seasonal movements vary among owls, most adults remain within their summer home ranges throughout the year.

The diet of Mexican Spotted Owls nesting in canyons consists primarily of woodrats (*Neotoma* spp.) and mice (*Peromyscus* spp.) with lesser amounts of rabbits, birds, reptiles, and arthropods (Willey 2013). The relative abundance of prey types in Mexican Spotted Owl pellets collected at LANL are listed in Table A-1 in the Appendix. Ganey and Balda (1994) found core areas of individuals (i.e., where owls spent 60 percent of their time) averaged 134 ha (331 ac), and core areas for pairs averaged 160 ha (395 ac).

## **1.3 Threats**

The Mexican Spotted Owl was listed as threatened because of destruction and modification of habitat caused by timber harvest and fires, increased predation on owls associated with habitat fragmentation, and a lack of adequate protective regulations.

## **2.0 IMPACT OF HUMAN ACTIVITIES**

### **2.1 Introduction**

The primary threats to Mexican Spotted Owls on DOE property around LANL property are 1) impacts to habitat quality from LANL operations and 2) disturbance of nesting owls. This section provides a review and summary of scientific knowledge of the effects of various types of human activities on the Mexican Spotted Owl and provides an overview of the current levels of activities at LANL.

### **2.2 Impacts on Habitat Quality**

#### **2.2.1 Development**

The type of habitat used by Mexican Spotted Owls, late seral stage forests with large trees, are usually not found in large quantities near developed areas or near areas that have had recent agricultural or forest product extraction land uses. Therefore, Mexican Spotted Owls are generally not found near developments. Whether it is the development itself or a lack of suitable habitat that discourages colonization of these areas by Mexican Spotted Owls is unknown.

Areas of LANL vary from remote undeveloped areas to heavily developed and/or industrialized facilities. Most LANL facilities are situated atop mesas, primarily in the northern and western portion of the DOE property. LANL is bounded by developed residential, industrial, and retail areas along its northern boundary (the town of Los Alamos) and by residential and retail development along a portion of its eastern boundary (the town of White Rock). Three major paved roads traverse LANL from northeast to southwest. Sandia, Pajarito, and Los Alamos canyons have paved roads within AEIs, and several AEIs have dirt roads along at least a portion of the canyon bottom. AEIs containing paved or dirt roads in the canyon bottoms have not been occupied at LANL (Hathcock et al. 2010).

#### **2.2.2 Ecological Risk**

There is no specific information on the impact of chemicals on the Mexican Spotted Owl, although experience with other raptor species suggests that exposure to polychlorinated biphenyls (PCBs), dichloro-diphenyl-trichloroethane (DDT) and its derivatives, and other organophosphate or organochlorine pesticides would probably be harmful. Exposure to other chemicals could also be harmful (Cain 1988).

LANL completed three ecological risk assessments that included the Mexican Spotted Owl between 1997 and 2009. The ecological risk assessment process involves using computer modeling to assess potential effects to animals from chemicals of potential concern (COPCs) that have been detected in the environment. All of the following ecological risk assessments concluded that, on average, no appreciable impact is expected to Mexican Spotted Owls from COPCs (Gallegos et al. 1997; Gonzales et al. 2004; Gonzales et al. 2009).

### **2.2.3 Disturbance**

#### **2.2.3.1 Pedestrians and Vehicles**

Based on work with other raptors, LANL biological resources SMEs assume that Mexican Spotted Owls would likely be disturbed by the approach of either pedestrians or vehicles. At an equal distance, pedestrians are frequently more disturbing to raptors than vehicles (Grubb and King 1991). Brown and Stevens (1997) reported that during surveys in Grand Canyon National Park, 22 times more Bald Eagles were found in canyon reaches with low human recreational use compared to reaches with moderate to high human recreational use. Human activity 100 m (328 ft) from Bald Eagle nests in Alaska caused clear and consistent changes in behavior of breeding eagles (Steidl and Anthony 2000).

Swarthout and Steidl (2001) found that both juvenile and adult roosting Mexican Spotted Owls were unlikely to alter their behavior in the presence of a single hiker at distances greater than 55 m (180 ft). Swarthout and Steidl (2003) concluded that cumulative effects of high levels of short-duration recreational hiking near Mexican Spotted Owl nests may be detrimental.

Many canyon bottoms and mesa tops at LANL have dirt roads traversing them. Most of these roads are gated. However, these roads are accessible to LANL employees and some of them are accessible to the public on foot or by bike. LANL biological resources SMEs have found that AEIs are occupied less often if there is recreational access into a canyon (Hathcock et al. 2010).

#### **2.2.3.2 Aircraft**

Ground-based disturbances appear to impact raptor reproductive success more than aerial disturbances (Grubb and King 1991). Grubb and Bowerman (1997) concluded that an exclusion of aircraft within 600 m (1,968 ft) of Bald Eagle nest sites would limit Bald Eagle response frequency to 19 percent.

Delaney et al. (1999) found for Mexican Spotted Owls that chainsaws consistently elicited higher response rates than helicopters at similar distances. Owl flush rates did not differ between nesting and non-nesting seasons. No owls flushed when noise stimuli (helicopter or chainsaws) were at distances greater than 105 m (344 ft). Distance was generally a better predictor of owl response to helicopter overflights than sound level.

LANL is restricted airspace, and planes infrequently fly less than 609 m (2,000 ft) above ground level. The County of Los Alamos operates an airport along the northern edge of LANL. The airport is located on the southern rim of Pueblo Canyon. Most flights approach and depart to the east of the airport, over the Rio Grande.

#### **2.2.3.3 Explosives**

There is no specific information on the reaction of Mexican Spotted Owls to explosives detonation currently available. Explosive blasts set off 120 to 140 m (393 to 459 ft) from active Prairie Falcon (*Falco mexicanus*) nests caused perched Prairie Falcons to flush from perches 79 percent of the time, and, in 26 percent of the cases, caused incubating Prairie Falcons to flush from nests. Measured sound levels at aerie entrances during blasts ranged from 129 to 141 decibel (dB) (Holthuijzen et al. 1990). Explosives blasting for dam construction 560 to 1,000 m (1,837 to 3,280 ft) from active Prairie Falcon nests caused a change in behavior 26 percent of the time, and

birds flushed in 17 percent of all cases. No incubating birds flushed (Holthuijzen et al. 1990). Brown et al. (1999) found little activity change in roosting or nesting Bald Eagles and no population-level impacts from weapons detonations at the Aberdeen Proving Ground. Holthuijzen et al. (1990) found that a 167-g (5.89-oz) charge of Kinestik produced noise levels between 138 and 141 dB at 100 m (328 ft), and that a 500-g (17.6-oz) charge of TNT produced noise levels between 144 and 146 dB at 100 m (328 ft). A 20-kg (44-lb) charge of TNT produced noise levels that measured 163 dB at 100 m (328 ft) (Paakkonen 1991).

Measurements of noise levels during explosives testing were conducted at three locations at LANL using quantities of high explosives ranging from 4.5 to 67.5 kg (10 to 148 lb) of TNT during six shots. Noise levels increased during the test from a background level of 31 dB(A)<sup>1</sup> to a range between 64 and 71 dB(A) during shots at a distance of 1.8 km (1.1 mi). At a distance of 4.3 km (2.67 mi), noise levels rose from a background range of 35 to 64 dB(A) to a range of 60 to 63 dB(A) (Vigil 1995). At a distance of 6.7 km (4.16 mi), noise levels rose from a background range of 38 to 51 dB(A) to a range of 60 to 71 dB(A) (Burns 1995). LANL biological resources SMEs estimated that the noise from a shot at the Dual-Axis Radiographic Hydrodynamic Test (DARHT) Facility would be 150 dB(A) at the source and 80 dB(A) at 400 m (1,312 ft) (Keller and Risberg 1995). LANL biological resources SMEs found that Mexican Spotted Owl AEIs located within the explosives testing buffer area were occupied more frequently than AEIs in other locations (Hathcock et al. 2010). This is likely due to the strict access control in explosives areas which limit human activity and development in the canyon bottoms.

#### **2.2.3.4 Other Sources of Noise**

Major noise-producing activities at LANL include automobile and truck traffic and noise associated with office buildings, construction activities, a live-fire range, and explosives testing. Also, there is noise associated with aircraft traffic at the Los Alamos County airport. Construction and maintenance activities involved with operations at LANL are fairly common. In addition, implementation of the 2005 Compliance Order on Consent (NMED 2005) issued by the New Mexico Environmental Department (NMED) has resulted in an increased frequency of drilling groundwater monitoring wells in protected habitat at LANL. Also, forest fuels management operations use chainsaws, chippers, and other noise-generating equipment. The 2010 National Pollutant Discharge Elimination System (NPDES) Individual Permit (EPA 2010) issued by the Environmental Protection Agency (EPA) requires sediment control features such as berms and small rock check dams to be installed at various sites with stormwater runoff; these are sometimes installed in protected habitat. LANL biological resources SMEs conducted a study of noise levels in canyons and found that the primary sources of noise exceeding 55 dB(A) were cars and trucks. Readings taken near flowing water were up to 11 dB(A) higher than readings taken elsewhere. The average dB(A) in canyons near paved roads ranged from 41 to 62, with maximum values ranging from 62 to 74. Away from paved roads 1.6 km (1 mi) or more, average dB(A) in canyons ranged from 37 to 50, with all but one average below 45. Maximum dB(A) away from paved roads ranged from 38 to 76 [76 dB(A) was measured during a thunder clap] (Huchton et al. 1997).

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<sup>1</sup> Sound can be measured as decibels (dB), C-weighted dB [dB(C)], or A-weighted dB [dB(A)]. The dB(A) measurement best resembles the response of the human ear by filtering out lower and higher frequency sound not normally heard by the human ear.

Noise measurements were conducted by LANL biological resources SMEs at the Los Alamos County airport and in Bayo and Pueblo canyons, including the Los Alamos County Sewage Treatment Facility, in December 1997. Sound levels near the airport runway during the maximum use time (6:30 to 7:30 am) had background values averaging 54 dB(A). Noise during plane arrivals ranged from 47 to 63 dB(A). No measurements were collected during plane take-off. Sound measurements conducted in the bottoms of Pueblo and Bayo canyons ranged from 37 to 40 dB(A) in most areas of the canyon. At the sewage treatment facility parking lot during a working day, the average dB(A) during a three-minute period was 46 (range 45 to 49). At the intersection of the road going into Pueblo Canyon with State Road 502, the average dB(A) during a three-minute period was 60 (range 41 to 70).

LANL biological resources SMEs conducted sound measurements at successive distances from an industrial area near a canyon rim, into the canyon, and to the opposite rim, using a C-weighted decibel scale (Keller and Foxx 1997). Measurements of noise levels using the C-weighted decibel scale are greater than if measured using A-weighted decibels. The average background noise on the mesa was 65.8 dB(C) [with a range of 43–81 dB(C)]. The average background noise in the canyon bottom was 62.3 dB(C) [with a range of 54–78 dB(C)]. The average background noise at the bottom of the north-facing slope was 53.8 dB(C) [with a range of 48–64 dB(C)]. Measurements were taken mid-day.

LANL biological resources SMEs measured sound levels from various pieces of construction equipment used at project sites at LANL over 5-minute intervals at distances of 6 to 31 m (20 to 100 ft) (Knight and Vrooman 1999). Average values ranged from 58.5 dB(A) to 80.9 dB(A). Peak values ranged from 75.7 to 155.4 dB(A). Additional data were collected by other LANL operators on specific pieces of construction equipment and on the Security Computer Complex construction site fence perimeter at Technical Area 3 before and during construction (Knight and Vrooman 1999). The average noise levels before construction began was 56.6 dB(A), and the average during construction was 82.1 dB(A).

LANL biological resources SMEs conducted a series of sound measurements at LANL to investigate background noise levels around AEIs (Vrooman et al. 2000). Background noise levels were significantly higher in daytime than in nighttime. AEIs with greater than 10 percent developed area in their buffers had significantly higher levels of background noise than undeveloped AEIs. Mean background sound levels were 51.3 dB(A) in developed AEIs and 39.6 dB(A) in undeveloped AEIs. The LANL biological resources project review process uses the individual AEI background measurements from Vrooman et al. (2000) to screen project activities for increases more than 6 dB(A) above background.

LANL biological resources SMEs took sound level measurements of heavy equipment use associated with concrete recycling on Sigma Mesa at LANL in 2004 (Hansen 2004). At this location, background noise levels at two different locations were 55.2 and 58.8 dB(A). Operation of a dump truck hauling and dumping concrete increased noise levels above background by a mean of 22.7 dB(A) at 30 m (98 ft) and 2.4 dB(A) at 80 m (262 ft). Additional sound level measurements were taken in the same general area on Sigma Mesa in 2005 as part of a BA for the operation of an asphalt batch plant (Hansen 2005). Measurements were taken on the north rim of Mortandad Canyon (south of the asphalt batch plant at distances of approximately 30 to 122 m (100 to 400 ft), at the bottom of Mortandad Canyon, approximately 183 to 244 m (600 to 800 ft) from the asphalt

batch plant, and on the south rim of Mortandad Canyon approximately 305 m (1,000 ft) from the asphalt batch plant. Background noise levels at the various locations ranged from 41.1 to 48.7 dB(A). The only locations with increases greater than 3 dB(A) during operation of the asphalt batch plant were the locations on the north rim of Mortandad Canyon, within 122 m (400 ft) of the asphalt batch plant. Noise from the operation of the asphalt batch plant was not detected in the bottom of Mortandad Canyon or on the south rim.

LANL biological resources SMEs took sound level measurements around the LANL Biosafety Level 3 (BSL-3) Laboratory with the heating, ventilation, and air conditioning (HVAC) system on and with it off (Hansen 2009). The area to the north of the BSL-3 is developed, the area to the south is not. Background noise levels north of the facility ranged from 53.6 to 57.6 dB(A). Background noise levels south of the facility ranged from 41.6 to 49.7 dB(A). Noise from the HVAC system was detected at 25 m (82 ft) from the facility on both sides, but was not detected at 81 m (266 ft) on the north side, or at 107 m (351 ft) on the south side.

Overall, these studies appear to show that areas adjacent to or within developed areas or paved roads are likely to have daytime average background noise levels between 45 and 63 dB(A). Less disturbed areas are likely to have average background noise levels between 37 and 50 dB(A).

#### **2.2.3.5 Artificially Produced Light**

There is no information available on the effects of artificially produced light on Mexican Spotted Owls. Under the Los Alamos County Code, commercial site development plans are reviewed to ensure that lighting serves the intended use of the site while minimizing adverse impacts to adjacent residential property (Section 16-276). Section 16-276 of the County Code includes light source measurement limitations by zoning district. The code allows off-site light to be 0.5 foot candles (fc) in residential areas. By comparison, full moonlight measures 0.1 fc, and a crescent moon was measured at 0.01 fc. Table A-2 in the Appendix presents preliminary light measurements in fc.

Preliminary surveys were conducted for light levels within Los Alamos Canyon at the Omega Reactor (Keller and Foxx 1997). The Omega Reactor was brightly lit for purposes of security; therefore, total light intensity was greater than the average street lighting. Measurements were conducted at a light pole with an open parking lot at the reactor as the source. Trees did not obscure the area. Using the relationship of light intensity reducing as a square of the distance, calculations using the field data indicated that at 30 m (98 ft) from the source the light levels would be equivalent or nearly equivalent to full moonlight.

### **3.0 AEI GENERAL DESCRIPTION FOR MEXICAN SPOTTED OWL**

An AEI consists of two areas—a core and a buffer. The core of the habitat is defined as suitable canyon habitat from rim to rim and 100 m (328 ft) out from the top of the canyon rim. The buffer area is 400 m (1,312 ft) wide extending outward from the edge of the core area. Although adult Mexican Spotted Owls may be found within their home range anytime throughout the year, the primary threat from disturbance to the owls is during the breeding season when owl pairs are tied to their nest sites. Therefore, management of disturbance in Mexican Spotted Owl AEIs is concentrated on the breeding season.

### **3.1 Method for Identifying a Mexican Spotted Owl AEI**

The original location of each Mexican Spotted Owl AEI was identified using a habitat model developed by Johnson (1998) that classified nesting and roosting habitat for Mexican Spotted Owls using topographic characteristics and vegetative diversity. LANL biological resources SMEs compared the results from the Johnson (1998) model to a different model identifying slopes >40 percent in mixed conifer and ponderosa pine cover types at LANL. Areas identified from the Johnson (1998) model application to LANL that were over five contiguous 30 × 30 m (97 × 98 ft) pixels in size, were above 1,980 m (6,496 ft) in elevation, and that had mixed conifer or ponderosa pine forest cover, were considered suitable Mexican Spotted Owl habitat. Where suitable habitat was identified, AEI core area boundaries were established to include the canyons and 100 m (328 ft) outward from the canyon rims.

A new Mexican Spotted Owl habitat model was developed and refined for application on LANL following the Cerro Grande wildfire (Hathcock and Haarmann 2008). This model incorporated finer-scale vegetation characteristics into the Mexican Spotted Owl habitat quality assessment. This model was used to redelineate the boundaries of the Mexican Spotted Owl AEIs at LANL in 2005 following wildfire, drought, and a regional bark beetle outbreak (USFWS consultation number 22420-2006-I-0010).

The new core boundaries were delineated with an area approximately 0.4 km (0.25 mi) from the edge of the nearest suitable habitat, up and down canyon. Core boundaries were established along readily recognizable geologic features or anthropogenic features in the terrain wherever possible to facilitate the ease of identification of core boundaries when in the field.

### **3.2 Location and Number of Mexican Spotted Owl AEIs**

There are currently five Mexican Spotted Owl AEIs on LANL, each encompassing one or more canyons. In general, the AEI cores are centered in canyons on the western side of LANL. The canyons with AEIs are Cañon de Valle, Water, Pajarito, Los Alamos, Sandia, Mortandad, and Three-Mile. AEI boundaries are maintained in the LANL biological resources program GIS database.

## **4.0 AEI MANAGEMENT**

### **4.1 Overview**

This AEI management section provides guidelines for LANL operations to reduce or eliminate the threats to Mexican Spotted Owls from 1) habitat alterations that reduce habitat quality and 2) disturbance of breeding or potentially breeding owls. Habitat alterations are considered for all AEIs and for both core and buffer areas. Disturbance activities to owls are considered only for occupied AEIs and only for impacts on core areas. Developed areas (see Part I, Section 3.1) that have ongoing baseline levels of activities and are not suitable habitat for Mexican Spotted Owls have different restrictions than undeveloped core or buffer areas. Therefore, the location of the disturbance activity within the AEI, the occupancy status of the AEI, and the type of activity all affect whether or not the activity is allowable. AEIs for different species may overlap, and an activity must meet the guidelines of all applicable site plans to be allowable.

## 4.2 Definition and Role of Occupancy in AEI Management

**Summary:** The occupancy status of an AEI affects what disturbance activities are allowable in different areas (core, buffer, developed) of the AEI. All Mexican Spotted Owl AEIs are considered occupied during March 1 through August 31 or until surveys show the AEI to be unoccupied. See the Activity Table (Table 1, Section 4.5.2) for restrictions on occupied undeveloped core and buffer areas, and Part I, Section 3.1 for restrictions on developed areas.

Occupancy simply refers to whether or not an AEI is occupied during a species' period of sensitivity. For Mexican Spotted Owls, LANL is primarily concerned with protecting the owls from disturbance during the breeding season. Because individuals may colonize suitable habitat, all Mexican Spotted Owl AEIs are treated as though they are occupied from March 1 through August 31 or until surveys show an AEI to be unoccupied. Mexican Spotted Owl surveys are conducted from late March through June. In general, surveys in areas with ongoing or proposed projects are completed by May 15. If a nest is located during surveys, then the AEI can be treated as unoccupied except for the area within a 400 m (1,312 ft) radius of the nest site. Because owls are not as sensitive to disturbance during the non-breeding season, Mexican Spotted Owl AEIs are treated as unoccupied from September 1 to February 28.

The occupancy status of an AEI affects what activities are allowable in the AEI. Although activities causing habitat alterations are restricted in all AEIs, disturbance activities are restricted only in occupied AEIs. The Activity Table (Table 1, Section 4.5.2) provides dates and levels of allowable disturbance activities within occupied Mexican Spotted Owl AEIs under the guidelines of this site plan. Contact a LANL biological resources SME to find out the current occupancy status of an AEI (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

## 4.3 Introduction to AEI Management Guidelines

**Summary:** The habitat alterations section and the activities section give the guidelines for habitat alteration and disturbance activities, respectively, for Mexican Spotted Owl AEIs. The flow chart (see Figure 1) provides a quick reference to determine what, if any, guidelines need to be consulted for a specific activity. Protective measures give management practices that should be applied when working or considering work in AEIs. LANL biological resources SMEs are available to answer questions and provide advice (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

Sections 4.4 and 4.5 provide the guidelines for habitat alterations and allowable activities in AEI core and buffer areas. Section 4.4 describes what and where habitat alterations are allowed under the guidelines of this site plan. Section 4.5 describes what, when, and where disturbance activities are allowed in occupied AEIs under the guidelines of this site plan. If an activity does not meet the restrictions given in the guidelines, the activity must be individually reviewed for ESA compliance. This site plan only provides guidelines for Mexican Spotted Owl AEIs. If an activity is desired in an area with overlapping AEIs, all applicable site plans must be consulted. AEI maps show the location of all AEIs in an area. Section 4.6 describes management practices that should be applied when working or considering work in an AEI. LANL biological resources SMEs are available to answer questions and provide advice (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

## **4.4 Definition of and Restrictions on Habitat Alterations**

### **4.4.1 Definition of Habitat Alterations**

Habitat alteration includes any action that alters the soil structure, vegetative components necessary to the species, prey quality and quantity, water quality, hydrology, or noise or light levels in undeveloped areas of an AEI. Long-term means the alteration lasts for more than one year. For physical disturbances, in general, any activity that can be accomplished by one person with a hand tool is generally not considered habitat alteration; any activity that requires mechanized equipment on a landscape is habitat alteration. An actual activity may take place outside of the AEI and will be considered habitat alteration if consequences of the activity have effects inside the AEI core.

The habitat components most important to Mexican Spotted Owls include vegetative structure, food quality and quantity, and disturbance levels, including noise and light. The forest structure within a canyon designated as a Mexican Spotted Owl AEI is important because it provides roost sites and a suitable habitat for nesting and foraging. Trees along the canyon rim are used for foraging and territorial calling, and they shelter the canyon interior from light and noise disturbances.

A long-term change in light or noise levels within the undeveloped core of an AEI is considered to be a habitat alteration if it increases average noise levels by  $\geq 6$  dB(A) during any portion of the 24-hour day, or it increases average light levels by  $\geq 0.05$  fc at night. Changes in noise and light levels are measured at the core area boundary if the source is outside the core area, or at 10 m (33 ft) from the source if the source is inside the undeveloped core area. Impacts of changes in developed areas on undeveloped cores are measured at the developed area boundary if it is within the core, or at the core area boundary if the developed area is outside of the core.

### **4.4.2 Fuels Management Practices to Reduce Wildfire Risk**

The recovery plan for the Mexican Spotted Owl lists stand-replacing wildfires as a primary threat to their habitat and encourages land managers to reduce fuel levels and abate fire risks in ways compatible with owl presence on the landscape (USFWS 1995). Within undeveloped core areas, on slopes  $>40$  percent, in the bottoms of steep canyons, and within 30 m (100 ft) of a canyon rim, thinning of trees  $<22$  cm (9 in) diameter at breast height, treatment of fuels, and prescribed and natural prescribed fires are allowed. Exceptions allowing trees  $>22$  cm (9 in) to be thinned within 30 m (100 ft) of buildings are granted to protect facilities. Large logs ( $>30$  cm [11.8 in] midpoint diameter) and snags should be retained. Thinning within core areas not meeting the characteristics listed above, and in buffer areas, may include trees of any size to achieve 8 m (25 ft) spacing between tree crowns. However, clear cutting is not allowed in undeveloped core areas.

For health and safety reasons, any trees within 30 m (100 ft) of buildings, but outside a developed area, may be thinned to achieve 8 m (25 ft) spacing between crowns. Habitat alterations including thinning are not restricted in developed areas. However, LANL biological resources SMEs encourage the retention of trees and snags along canyon rims if the rim is in a developed area. Because of the extreme fire danger associated with firing sites and the potential impact of a fire on Mexican Spotted Owl habitat, firing sites and burn areas are treated separately for the purposes of fuels management. Trees within 380 m (1,246 ft) of firing sites and burn areas in both core and

buffer areas may be thinned to a 15 m (49 ft) spacing between trees everywhere except on slopes >40 percent or in the bottoms of steep canyons. Any tree over 22 cm (9 in) diameter at breast height within 380 m (1,246 ft) of a firing site may be delimbed to a height of 2 m (6 ft) to help prevent crown fires.

In historically occupied core areas, fuels treatment may not exceed 10 percent of the undeveloped core area and is not allowed within 400 m (1,312 ft) of nesting areas. In occupied core areas, forest management activities must take place during the nonbreeding season (September 1 to February 28) (USFWS 1995). Fuels management activities that are allowable in core areas have to be reported to LANL biological resources SMEs for tracking.

#### **4.4.3 Utility Corridors**

Habitat alterations such as cutting down trees that threaten power lines are allowed within 8 m (26 ft) of either side of an existing utility line in all areas of an AEI (Trujillo and Racine 1995). New utility lines and utility lines requiring clearance of a right-of-way greater than 16 m (52 ft) total must be individually reviewed for ESA compliance. Disturbance activities must follow the guidelines given in the Activities Table (Table 1, Section 4.5.2) for occupied AEIs.

#### **4.4.4 Restrictions on Habitat Alterations**

**Summary:** Habitat alterations other than fuels management practices and utility corridor maintenance are not allowed in undeveloped core areas. Habitat alterations in buffer areas are restricted to 2 ha (5 ac) per project, with a maximum cap on development in the buffer for each AEI. Habitat alterations other than fuels management and utility corridor maintenance must be reported to LANL biological resources SMEs for tracking (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

Habitat alterations other than the fuels management practices and utility corridor maintenance described above are not allowed in undeveloped core areas under the guidelines of this site plan. If a project or activity is planned that would alter habitat in an undeveloped core area, it must be individually evaluated for ESA compliance. Habitat alterations in undeveloped buffer areas other than the fuels management activities and utility corridor maintenance described above are restricted to 2 ha (5 ac) in area per project and are subject to other restrictions including light and noise effects in the core (see Section 2.2.3). Projects in the buffer over 2 ha (5 ac) in size will require individual ESA compliance review.

Habitat alterations in a buffer area other than the fuels management and utility corridor maintenance described above must be reported to LANL's biological resources SMEs for tracking (<http://int.lanl.gov/environment/bio/controls/index.shtml>). There is a cumulative maximum area that can be developed in each AEI's buffer. Once that cumulative area is reached, all habitat alterations in a buffer will require individual ESA reviews for compliance.

### **4.5 Definition of and Restrictions on Disturbance Activities**

#### **4.5.1 Definitions of Disturbance Activities**

LANL biological resources SMEs considered six categories of activities that might cause disturbance in an AEI. Most of the categories were first identified in the document "Peregrine

Falcon Habitat Management in the National Forests of New Mexico,” prepared for the United States Forest Service (Johnson 1994). LANL biological resources SMEs added explosives detonation, other light production, and other noise production to provide the most comprehensive list of activities possible, thereby reducing the need for individual review of activities for ESA compliance. The categories of activities are people, vehicles, aircraft, other light production, other noise production, and explosives detonation. LANL biological resources SMEs have defined low, medium, and high levels of impact for these activities except for explosives detonation. Activity levels for explosives detonation have been designed to follow the guidelines agreed upon by LANL, DOE, and USFWS in the DARHT BA (Keller and Risberg 1995). Restrictions on explosives detonation are described in the definition of the activity, but are not included in the Activity Table (Table 1, Section 4.5.2). These six categories of activities are restricted only in AEIs that are classified as occupied.

**People**—includes any entry of people into an AEI on foot.

- Low impact is the presence of three or fewer people per project and duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of people or the duration criteria.
- High impact is the exceedance of both the number of people and the duration criteria.

**Vehicles**—includes the entry of any two-axle highway vehicle, all-terrain vehicle, or motorized machinery into an AEI by any route other than a paved road or an improved gravel road.

- Low impact is the presence of two or fewer vehicles per project and duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of vehicles or the duration criteria.
- High impact is the exceedance of both the number of vehicles and the duration criteria.

**Aircraft**—includes the operation of any aircraft below an elevation of 600 m (2,000 ft) above the highest ground level in the local vicinity.

- Low impact is the presence of one single-engine airplane and the duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of aircraft or the duration criteria.
- High impact is the exceedance of both the number of aircraft and the duration criteria.

Any use of helicopters, jet airplanes, and propeller airplanes with two or more engines is classified as medium impact or above, depending on duration.

**Other Light Production**—includes any activity not previously listed that causes additional light to occur in an AEI core area. For example, plans for construction of a new building at the edge of a developed area may call for lighting at night to facilitate nighttime work that impacts an undeveloped core area.

- Low impact is the increase of light intensity by  $\leq 0.05$  fc and a duration of one night or less per project per breeding season.
- Medium impact is the exceedance of either the intensity or duration criteria.
- High impact is the exceedance of both the intensity and duration criteria.

Measurements for increases in light are taken at the AEI core area boundary closest to the light source if the source is outside the core and at 10 m (33 ft) from the source if the source is inside the core. Light measurements for developed areas are taken at the edge of the developed area if the developed area is within an AEI core or at the closest core boundary if the developed area is outside of an AEI core.

**Other Noise Production**—includes any activity not previously listed except for explosives detonation that causes additional noise to occur in an AEI. For example, operation of machinery creates noise.

- Low impact is increasing noise levels in an AEI core by 6 dB(A) or less for one day or less per project per breeding season.
- Medium impact is the exceedance of either the level or the duration criteria.
- High impact is the exceedance of both the level and the duration criteria.

Measurements for increases in noise are taken at the AEI core boundary closest to the noise source if the source is outside the core and at 10 m (33 ft) from the source if the source is inside the core. Noise measurements for developed areas are taken at the edge of the developed area if the developed area is within an AEI core or at the closest core boundary if the developed area is outside of an AEI core.

**Explosives Detonation**—includes the use of high explosives for any purpose. LANL biological resources SMEs did not define low, medium, and high levels of this activity because of the difficulty of determining levels for a shot before actually doing the shot. For the purpose of explosives detonation near Mexican Spotted Owl AEIs, occupied habitat is defined as the area within 400 m (1,312 ft) of the current year's nest/roost sites or the previous year's nest site if a current site has not been identified. No explosives detonation will take place within 400 m (1,312 ft) of nest/roost sites in occupied habitat between March 1 and August 31. Explosives detonation at night at sites within 400 to 800 m (1,312 to 2,624 ft) of a nest site in occupied habitat is restricted to once a month from March 1 and August 31. There are no restrictions on daytime explosives testing between 400 and 800 m (1,312 to 2,624 ft). There are no restrictions between September 1 and February 28 or in unoccupied habitat. Explosives detonation adjacent to AEIs that have not previously been recorded by LANL as occupied will have no restrictions unless surveys detect Mexican Spotted Owls. Explosives tests not allowed under the guidelines of this site plan must be individually reviewed for ESA compliance.

#### **4.5.2 Activity Table**

The dates shown in the Activity Table (Table 1) are the dates between which the activity in the row is restricted under the guidelines of this site plan. All AEIs are considered occupied from March 1 to August 31 or until surveys show an AEI to be unoccupied. If owls are detected, AEIs

are considered occupied until August 31 within 400 m (1,312 ft) of the nest site. Consult with LANL biological resources SMEs to find out occupancy status of AEIs and what locations are within 400 m (1,312 ft) of nest sites (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

**Table 1. Restrictions on Activities in Undeveloped Occupied Mexican Spotted Owl AEIs**

	<b>Core</b>	<b>Buffer</b>
<i>People</i>		
Low	No Restrictions*	No Restrictions
Medium	March 1 to August 31	No Restrictions
High	March 1 to August 31	No Restrictions
<i>Vehicles</i>		
Low	No Restrictions	No Restrictions
Medium	March 1 to August 31	No Restrictions
High	March 1 to August 31	No Restrictions
<i>Aircraft</i>		
Low	March 1 to August 31	No Restrictions
Medium	March 1 to August 31	March 1 to May 15
High	March 1 to August 31	March 1 to August 31
<i>Other Light Production</i>		
Low	March 1 to August 31	No Restrictions**
Medium	March 1 to August 31	No Restrictions**
High	March 1 to August 31	No Restrictions**
<i>Other Noise Production</i>		
Low	March 1 to August 31	No Restrictions**
Medium	March 1 to August 31	No Restrictions**
High	March 1 to August 31	No Restrictions**
<i>Explosives Detonation (see text in Section 4.5.1)</i>		

\*Entry is restricted in core areas that are occupied within 400 m (1,312 ft) of the nest site from March 1 to August 31. If the current nest has not been located, entry is restricted within 400 m (1,312 ft) of the previous year's nest site.

\*\*Noise or light production in the buffer is restricted if the activity would violate core area restrictions on noise or light.

## 4.6 Protective Measures

**Summary:** This section provides a list of management practices to apply in Mexican Spotted Owl AEIs.

- Timing of projects must take into account that projects in core areas or projects that violate restrictions for occupied buffer areas must stop on February 28 each year until occupancy status of the AEI is determined.
- Every reasonable effort should be made to reduce the noise from explosives testing within 800 m (2,624 ft) of occupied habitat. Methods to reduce noise could include contained shots, noise shields in the direction of AEI cores, etc. For night shots, every reasonable effort should be made to limit the amount of light directed into AEI core areas.

- Put signs on dirt roads and trails leading into AEIs labeling them as restricted access areas and providing a number to contact for access restrictions.
- Keep disturbance and noise to a minimum.
- Avoid unnecessary disturbance to vegetation (e.g., excessive parking areas or equipment storage areas, off-road travel, materials storage areas, crossing of streams or washes).
- Avoid removal of vegetation along drainage systems and stream channels.
- Avoid all vegetation removals not absolutely necessary.
- Appropriate erosion and runoff controls should be employed to reduce soil loss. The controls must be put in place and periodically checked throughout the life of projects.
- All exposed soils must be revegetated as soon as feasible after construction to minimize erosion.
- In the Los Alamos Canyon AEI, development should be focused away from undeveloped areas on the western end of the AEI.

## 5.0 LEVELS OF DEVELOPMENT IN AEI CORE AND BUFFERS

### 5.1 Allowable Habitat Alteration in the Buffer Areas

The following quantifications of development and guidance for allowable habitat alteration in buffer areas were published and consulted on in the 1999 version of the HMP. Most AEIs changed in dimensions during the 2005 redelination of the habitats, and many have experienced additional development. Development in buffer habitat was not addressed during the 2005 consultation. Many projects were reviewed and received USFWS concurrence between 1999 and 2014.

LANL biological resources SMEs have provided the current development status for each of the AEIs at the end of each paragraph. The percent developed numbers were derived with the original size of the AEIs.

***Cañon de Valle***—In 1999, 16.3 ha (40.3 ac, 2.9 percent) of the core was developed and 52.2 ha (129 ac, 6.8 percent) of the DOE-controlled buffer was developed. For this AEI, it was recommended that only an additional 25.30 ha (62.5 ac) of the AEI buffer be developed. The 1999 HMP stated that once this cap is reached or a large-scale project is proposed, additional consultation with USFWS would be required. By 2011, 28 ha (69.2 ac) of the core and 84 ha (207.5 ac) of the buffer had been developed.

***Pajarito***—In 1999, there were 6.7 ha (16.5 ac, 5.5 percent) of the core developed and 75.1 ha (186.5 ac, 16.7percent) developed in the buffer. LANL biological resources SMEs recommended only an additional 35 ha (86.4 ac) of the buffer be developed before additional USFWS consultations take place. The 1999 HMP stated that once the cap is reached or a single large-scale project is proposed, additional consultation would be required. By 2011, 27 ha (66.7 ac) of the core and 89 ha (220 ac) of the buffer had been developed.

***Los Alamos***—In 1999, there were 77.16 ha (190 ac) of the core developed and 167.2 ha (413.1 ac) developed in the buffer. For this AEI, LANL biological resources SMEs recommended only an

additional 28.6 ha (70.6 ac, 5.9 percent) of the DOE-owned buffer be developed before additional USFWS consultations take place.

Because this AEI is so heavily developed, additional development was restricted to a few selected areas within the buffer. Development outside of these areas requires individual review for ESA compliance. A large percentage of this AEI was removed in the 2005 and 2013 BAs. By 2011, 94 ha (232.2 ac) of the core and 181 ha (447.3 ac) of the buffer had been developed.

***Sandia-Mortandad***—In 1999, 98.4 ha (243.2 ac) of this AEI on DOE lands were developed, including 29 ha (71.7 ac, 10.7 percent) of the core and 75.1 ha (185.6 ac, 16.7 percent) of the buffer. For this AEI, LANL biological resources SMEs recommended only an additional 38.1 ha (94.1 ac) of the buffer be developed before additional USFWS consultations take place. Once this cap is reached or a single large-scale project is proposed, additional consultation will be required. By 2011, 45 ha (111.2 ac) of the core and 83 ha (205.1 ac) of the buffer had been developed.

***Three Mile***—In 1999, 25.3 ha (62.5 ac) of this AEI on DOE lands were developed, including 3.8 ha (9.4 ac, 2.8 percent) of the core and 21.5 ha (51.1 ac, 7.3 percent) of the buffer. For this AEI, LANL biological resources SMEs recommended only 64.3 ha (158.8 ac) additional area of buffer be developed before additional USFWS consultations take place. Once this cap is reached or a single large-scale project is proposed, additional consultation will be required. By 2011, 12 ha (29.6 ac) of the core and 37 ha (91.4 ac) of the buffer had been developed.

### **III. AREA OF ENVIRONMENTAL INTEREST SITE PLAN FOR THE SOUTHWESTERN WILLOW FLYCATCHER**

#### **1.0 SPECIES DESCRIPTION—SOUTHWESTERN WILLOW FLYCATCHER**

##### **1.1 Status**

In 1995, the USFWS designated the Southwestern Willow Flycatcher as a federally endangered species (60 FR 10693). The USFWS most recently designated critical habitat for the Southwestern Willow Flycatcher in 2005 (70 FR 60885). The most recent recovery plan was published for Southwestern Willow Flycatcher in 2002 (USFWS 2002).

##### **1.2 General Biology**

The Southwestern Willow Flycatcher is one of four subspecies of the Willow Flycatcher. The historic range of the Southwestern Willow Flycatcher included Arizona, California, Colorado, New Mexico, Texas, Utah, and Mexico. Currently, this flycatcher breeds in riparian habitats from southern California to Arizona and New Mexico, plus southern Colorado, Utah, Nevada, and far western Texas. In winter it is found in southern Mexico, Central America, and northern South America (USFWS 2002).

Southwestern Willow Flycatchers are present in New Mexico from early May through mid-September and breed from late May through late July (Finch and Kelly 1999; USFWS 2002; Yong and Finch 1997). The flycatcher's nesting cycle is approximately 28 days. Three or four eggs are laid at one-day intervals, and incubation begins when the clutch is complete. The female incubates eggs for approximately 12 days, and the young fledge about 13 days after hatching.

Southwestern Willow Flycatchers typically raise one brood per year (USFWS 2002). Because arrival dates vary, northbound migrant Willow Flycatchers (of all subspecies) pass through areas where Southwestern Willow Flycatchers have already begun nesting. Similarly, southbound migrants (of all subspecies) in late July and August may occur where Southwestern Willow Flycatchers are still breeding. Therefore, it is only during a short period of the breeding season (approximately June 15 through July 20) that one can assume that a Willow Flycatcher seen within Southwestern Willow Flycatcher range is probably of that subspecies (USFWS 2002).

The Southwestern Willow Flycatcher only nests along rivers, streams, and other wetlands. It is found in close association with dense stands of willows (*Salix* spp.), arrowweed (*Pluchea* spp.), buttonbush (*Cephalanthus* spp.), tamarisk (*Tamarix* spp.), Russian olive (*Eleagnus angustifolia* L.), and other riparian vegetation, often with a scattered overstory of cottonwood (*Populus* spp.) (USFWS 2002). The size of vegetation patches or habitat mosaics used by Southwestern Willow Flycatchers varies considerably and ranges from as small as 0.8 ha (1.9 ac) to several hundred hectares (Hatten and Paradzick 2003). The Southwestern Willow Flycatcher nests in thickets of trees and shrubs approximately 2 to 15 m (6 to 49 ft) tall, with a high percentage of canopy cover and dense foliage from 0 to 4 m (0 to 13 ft) above ground. Regardless of the plant species composition or height, occupied sites always have dense vegetation in the patch interior (Allison et al. 2003; USFWS 2002).

The Southwestern Willow Flycatcher is an insectivore. It forages within and occasionally above dense riparian vegetation, taking insects on the wing and gleaning them from foliage. The flycatcher's prey includes flies, bees, wasps, ants, beetles, moths, butterflies, grasshoppers, crickets, dragonflies, damselflies, and spiders (Durst et al. 2008; Wiesenborn and Heydon 2007).

### **1.3 Threats**

The current population of Southwestern Willow Flycatchers in the United States is estimated at 1,214 territories (Durst et al. 2006). The distribution of breeding groups is highly fragmented, with groups often separated by considerable distances. This subspecies has suffered declines attributed to extensive loss of its cottonwood-willow habitat and to poor productivity resulting from brood parasitism by Brown-headed Cowbirds (*Molothrus ater*) (USFWS 2002).

## **2.0 IMPACT OF HUMAN ACTIVITIES**

### **2.1 Introduction**

The primary threats to the Southwestern Willow Flycatcher on LANL property are 1) impacts on habitat quality from LANL operations and 2) disturbance of nesting flycatchers. This section includes a review and summary of the known effects of various types of human activities to the Southwestern Willow Flycatcher and an overview of the current levels of activities at LANL within species habitat.

### **2.2 Impacts on Habitat Quality**

#### **2.2.1 Development**

Throughout the Southwest, riparian habitats are rare and tend to be small and separated by vast expanses of arid lands. The Southwestern Willow Flycatcher has experienced extensive loss and

modification of its habitat resulting from urban and agricultural development, water diversion and impoundment, channelization of waterways, livestock grazing, off-road vehicle and other recreational uses, and hydrological changes resulting from these and other land uses (USFWS 2002). River and stream impoundments, groundwater pumping, and overuse of riparian areas have altered as much as 90 percent of the Southwestern Willow Flycatcher's habitat (USFWS 2002). Loss of cottonwood-willow riparian forests has had widespread impact on the distribution and abundance of bird species associated with that forest. Development itself may be tolerated if the habitat is left intact.

Because watercourses at LANL tend to be intermittent to ephemeral, riparian habitat is uncommon. There has been extensive degradation of the riparian zone along the Rio Grande caused by feral cattle grazing and flood control operations of Cochiti Lake. There are other riparian/wetland areas on LANL associated with canyon bottoms, the most significant one being Pajarito wetlands in the lower end of Pajarito Canyon. A major paved road traverses the wetlands area in Pajarito Canyon.

### **2.2.2 Ecological Risk**

There is no specific information on the impact of chemicals on Southwestern Willow Flycatcher.

#### **2.2.2.1 Ecorisk Assessment**

LANL completed two ecological risk assessments that included the Southwestern Willow Flycatcher between 1997 and 2009. The ecological risk assessment process involves using computer modeling to assess potential effects to animals from COPCs that have been detected in the environment. The ecological risk assessments concluded that, in general, there is a small potential for effects to Southwestern Willow Flycatcher from COPCs (Gonzales et al. 1998; Gonzales et al. 2009).

An ecotoxicological risk assessment for the Southwestern Willow Flycatcher, centered on the Pajarito wetlands, found that between 7 and 16 percent of 100 hypothetical nest sites examined had hazard indices  $>1.0$  and  $<10.0$ , depending on the foraging scenario (Gonzales et al. 1998). This indicates a small potential for impacts from chemicals. The primary chemicals driving the risk scenario were pentachlorophenol, aluminum, radium-226, calcium, and thorium-228. Aluminum, radium, and thorium are naturally occurring substances in northern New Mexico.

### **2.2.3 Disturbance**

#### **2.2.3.1 Pedestrians and Vehicles**

There is no specific information on the reactions of Southwestern Willow Flycatchers to pedestrians and vehicles available. The recovery plan for the Southwestern Willow Flycatcher recommends providing protected areas, reducing unpredictable activities providing visual barriers, and reducing noise disturbance (USFWS 2002).

#### **2.2.3.2 Aircraft**

There is no specific information on the reaction of Southwestern Willow Flycatchers to aircraft available.

LANL lies within restricted airspace and planes infrequently fly less than 609 m (2,000 ft) above ground level. The County of Los Alamos operates an airport along the northern edge of LANL. The airport is located on the southern rim of Pueblo Canyon. Most flights approach and depart to the east of the airport, over the Rio Grande.

### **2.2.3.3 Explosives**

There is no specific information on the reaction of Southwestern Willow Flycatchers to explosives detonation available. The Southwestern Willow Flycatcher AEI is not located close to any explosives testing sites at LANL.

### **2.2.3.4 Other Sources of Noise**

LANL biological resources SMEs do not have good information on the effects of noise, including machinery operation, on Southwestern Willow Flycatchers. However, Southwestern Willow Flycatchers are probably not as sensitive to disturbance as some other threatened or endangered species (USFWS 2002). For a description of noise levels at LANL, see Part I, Section 2.2.3.

### **2.2.3.5 Artificially Produced Light**

There is no information on the effects of artificially produced light on Southwestern Willow Flycatchers available. Under the Los Alamos County Code, commercial site development plans are reviewed to ensure that lighting serves the intended use of the site while minimizing adverse impacts to adjacent residential property (Section 16-276). Section 16-276 of the County Code includes light source measurement limitations by zoning district. The code allows off-site light to be 0.5 fc in residential areas. By comparison, full moonlight measures 0.1 fc, and a crescent moon was measured at 0.01 fc.

## **3.0 AEI GENERAL DESCRIPTION FOR SOUTHWESTERN WILLOW FLYCATCHER**

The AEI consists of two types of areas—core and buffer. Core areas represent wetland areas with suitable vegetation for nesting, primarily dense willows. The buffer area is the area within 100 m (328 ft) of core areas. The Southwestern Willow Flycatcher AEI on LANL consists of two separate core areas. For purposes of this site plan, both core areas and associated buffers are considered one AEI unit.

### **3.1 Method for Identifying the Southwestern Willow Flycatcher AEI**

The core areas were defined by the presence of riparian habitat and suitable wetland vegetation. These areas were identified in 1994 during a survey of wetlands at LANL and mapped using a global positioning system receiver. Wetlands without stands of dense willows at least 2 m (7 ft) tall and 30 m (98 ft) wide were not included in the AEI. The buffer area is the area within 100 m (328 ft) of the core areas.

### **3.2 Location of the Southwestern Willow Flycatcher AEI**

LANL has one AEI for Southwestern Willow Flycatcher. It is composed of two core areas with associated buffers. The AEI core areas are located in the bottom of Pajarito Canyon, on the eastern side of LANL adjacent to Pajarito Road and State Road 4. The boundaries of the Southwestern

Willow Flycatcher AEI are maintained in the biological resources program GIS database at LANL.

## **4.0 AEI MANAGEMENT**

### **4.1 Overview**

This AEI management section provides guidelines for LANL operations to reduce or eliminate the threats to the Southwestern Willow Flycatcher from 1) habitat alterations that reduce habitat quality and 2) disturbance of breeding or potentially breeding flycatchers. Habitat alterations are considered for all AEIs and for both core and buffer areas. Disturbance activities to flycatchers are considered only for occupied AEIs and only for impacts on core areas. Developed areas (see Part I, Section 2.3) with ongoing baseline levels of activities and are not suitable habitat for Southwestern Willow Flycatchers have different restrictions than undeveloped core or buffer areas. Therefore, the location of the disturbance activity within the AEI, the occupancy status of the AEI, and the type of activity all affect whether or not the activity is allowable. AEIs for different species may overlap, and an activity must meet the guidelines of all applicable site plans to be allowable. Protective measures are described as management practices that should be followed when working in AEIs.

### **4.2 Definition and Role of Occupancy in AEI Management**

**Summary:** The occupancy status of an AEI affects what disturbance activities are allowable in different areas (core, buffer, developed) of the AEI. The Southwestern Willow Flycatcher AEI is considered occupied during May 15 through September 15 or until the surveys show the AEI to be unoccupied. See the Activity Table (Table 2, Section 4.5.2) for restrictions on occupied undeveloped core and buffer areas, and Part I, Section 2.3 for restrictions on developed areas.

Occupancy simply refers to whether or not an AEI is occupied during a species' period of sensitivity. For Southwestern Willow Flycatchers, LANL biological resources SMEs are primarily concerned with protecting the birds from disturbance during the breeding season. Because individuals may colonize suitable habitat, the Southwestern Willow Flycatcher AEI is treated as though it is occupied from May 15 through September 15 or until surveys show an AEI to be unoccupied. Southwestern Willow Flycatcher surveys are conducted during May, June, and July. Because Southwestern Willow Flycatchers migrate south for the winter, the AEI is treated as unoccupied from September 16 to May 14.

The occupancy status of an AEI affects what activities are allowable in the AEI. Although activities causing habitat alterations are always restricted, disturbance activities are restricted only in occupied AEIs. Table 2 provides dates and levels of disturbance activities allowable in the occupied Southwestern Willow Flycatcher AEI under the guidelines of this site plan. The dates in Table 2 indicate the time period during which the activity is restricted. Contact a LANL biological resources SME to find out the current occupancy status of an AEI (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

### **4.3 Introduction to AEI Management Guidelines**

**Summary:** The habitat alterations section (Section 4.4) and the activities section (Section 4.5) gives the guidelines for habitat alteration and disturbance activities, respectively, for the

Southwestern Willow Flycatcher AEI. The flow chart (see Figure 1) provides a quick reference to determine what, if any, guidelines need to be consulted for a specific activity. Protective measures give management practices that should be applied when working or considering work in AEIs. LANL biological resources SMEs are available to answer questions and provide advice (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

Sections 4.4 and 4.5 provide the guidelines for habitat alterations and allowable activities in AEI core and buffer areas. The flow chart (see Figure 1) provides a quick reference that should be used to determine whether a project or activity will affect an AEI and what sections of the site plan need to be consulted. The section on habitat alterations (Section 4.4) describes what and where habitat alterations are allowed under the guidelines of this site plan. The section and table on allowable activities (Section 4.5 and Table 2) describe what, when, and where disturbance activities are allowed in occupied AEIs under the guidelines of this site plan. If an activity does not meet the restrictions given in the guidelines, the activity must be individually reviewed for ESA compliance. This site plan only provides guidelines for the Southwestern Willow Flycatcher AEI. If an activity is desired in an area with overlapping AEIs, all applicable site plans must be consulted. Section 4.6 describes management practices that should be applied when working or considering work in an AEI. LANL biological resources SMEs are available to help interpret site plans and answer questions (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

#### **4.4 Definition of and Restrictions on Habitat Alterations**

##### **4.4.1 Definition of Habitat Alterations**

Habitat alteration includes any action that alters over the long-term the soil structure, vegetative components necessary to the species, prey quality and quantity, water quality, hydrology, or noise or light levels in undeveloped areas of an AEI. Long-term means the alteration lasts for more than one year. Habitat alteration includes any activity that removes vegetative components important to the Southwestern Willow Flycatcher (primarily trees and shrubs). An actual activity may take place outside of the AEI and will be considered habitat alteration if consequences of the activity have effects inside the AEI core.

The habitat components most important to flycatchers include vegetative structure, food quality and quantity, and disturbance levels, including noise and light. The thickets of certain trees and shrubs along wetlands are important because they provide roost sites and a suitable habitat for nesting and foraging.

##### **4.4.2 Fuels Management Practices to Reduce Wildfire Risk**

Thinning within undeveloped buffer areas may include trees of any size to achieve 7.6 m (25 ft) spacing between tree crowns. However, clear cutting is not allowed in undeveloped buffer areas. No fuels management practices are allowed in core areas. Habitat alterations including thinning are not restricted in developed areas. All fuels management activities in developed and buffer areas must follow the guidelines in the Activity Table (Table 2, Section 4.5.2) if the AEI is occupied.

##### **4.4.3 Utility Corridors**

Habitat alterations such as cutting down trees that threaten power lines are allowed within 8 m (26 ft) of either side of an existing utility line in all areas of an AEI (Trujillo and Racine 1995).

New utility lines and utility lines requiring clearance of a right-of-way greater than 16 m (52 ft) total must be individually reviewed for ESA compliance. Disturbance activities must follow the guidelines given in the Activities Table for occupied AEIs.

#### **4.4.4 Restrictions on Habitat Alterations**

**Summary:** Habitat alterations other than the utility corridor maintenance described above are not allowed in undeveloped core areas under the guidelines of this site plan. Habitat alteration in buffers is limited. If a project or activity is planned that would alter habitat in an undeveloped core area, it must be individually evaluated for ESA compliance. Habitat alterations in a buffer area other than fuels management activities or utility corridor maintenance must be reported to a LANL biological resources SME for tracking (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

### **4.5 Definition of and Restrictions on Disturbance Activities**

#### **4.5.1 Definition of Disturbance Activities**

LANL biological resources SMEs considered five categories of activities that might cause disturbance in an AEI. Most of the categories were first identified in the document “Peregrine Falcon Habitat Management in the National Forests of New Mexico” prepared for the U.S. Forest Service (Johnson 1994). Other light production and other noise production were included to provide the most comprehensive list of activities possible, reducing the need for individual review of activities for ESA compliance. The categories of activities are people, vehicles, aircraft, other light production, and other noise production. The impact of explosives detonation on this species is not considered here because there are no explosives testing sites within 2 km (1.25 mi) of potential nesting habitat. Low, medium, and high levels of impact for these activities are considered here. The following categories of activities are restricted only in AEIs that are classified as occupied.

**People**—includes any entry of people into an AEI on foot.

- Low impact is the presence of three or fewer people per project and duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of people or the duration criteria.
- High impact is the exceedance of both the number of people and the duration criteria.

**Vehicles**—includes the entry of any two-axle highway vehicle, all-terrain vehicle, or motorized machinery into an AEI by any route other than a paved road or an improved gravel road.

- Low impact is the presence of two or fewer vehicles per project and duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of vehicles or the duration criteria.
- High impact is the exceedance of both the number of vehicles and the duration criteria.

**Aircraft**—includes the operation of any aircraft below an elevation of 600 m (2,000 ft) above the highest ground level in the local vicinity.

- Low impact is the presence of one single-engine airplane and duration of one day or less during a breeding season.
- Medium impact is the exceedance of either the number of aircraft or the duration criteria.
- High impact is the exceedance of both the number of aircraft and the duration criteria.

Any use of helicopters, jet airplanes, and propeller airplanes with two or more engines is classified as medium impact or above, depending on duration.

**Other Light Production**—includes any activity not previously listed that causes additional light to occur in an AEI core area (e.g., plans for construction of a new building at the edge of a developed area may call for lighting at night to facilitate nighttime work that impacts an undeveloped core area).

- Low impact is the increase of light intensity by up to 0.05 fc and a duration of one night or less per project per breeding season.
- Medium impact is the exceedance of either the intensity or duration criteria.
- High impact is the exceedance of both the intensity and duration criteria.

Measurements for increases in light are taken at the AEI core area boundary closest to the light source, if the source is outside the core, and at 10 m (33 ft) from the source if the source is inside the core. Light measurements for developed areas are taken at the edge of the developed area if the developed area is within an AEI core, or at the closest core boundary, if the developed area is outside of an AEI core.

**Other Noise Production**—includes any activity not previously listed except for explosives detonation that causes additional noise to occur in an AEI. For example, operation of machinery causes noise.

- Low impact is increasing noise levels in an AEI core by 6 dB(A) or less for one day or less per project per breeding season.
- Medium impact is the exceedance of either the level or the duration criteria.
- High impact is the exceedance of both the level and the duration criteria.

Measurements for increases in noise are taken at the AEI core boundary closest to the noise source if the source is outside the core, and at 10 m (33 ft) from the source if the source is inside the core. Noise measurements for developed areas are taken at the edge of the developed area if the developed area is within an AEI core, or at the closest core boundary if the developed area is outside of an AEI core.

#### **4.5.2 Activity Table**

Disturbance activities are of concern only when Southwestern Willow Flycatchers occupy an AEI. The AEI is always considered occupied between May 15 and September 15, or until surveys show the AEI to be unoccupied. The Southwestern Willow Flycatcher AEI is always considered unoccupied between September 16 and May 14, when flycatchers have migrated for the winter.

For occupancy status of an AEI after completion of surveys, contact a LANL biological resources SME (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

**Table 2. Restrictions on Activities in Undeveloped Occupied Southwestern Willow Flycatcher AEI**

	<b>Core</b>	<b>Buffer</b>
<b><i>Restrictions on Occupied Habitat</i></b>		
<b><i>People</i></b>		
Low	No Restrictions	No Restrictions
Medium	May 15 to August 15	No Restrictions
High	May 15 to September 15	No Restrictions
<b><i>Vehicles</i></b>		
Low	May 15 to September 15	No Restrictions
Medium	May 15 to September 15	No Restrictions
High	May 15 to September 15	No Restrictions
<b><i>Aircraft</i></b>		
Low	No Restrictions	No Restrictions
Medium	May 15 to August 15	May 15 to August 15
High	May 15 to September 15	May 15 to August 15
<b><i>Other Light/Noise Production</i></b>		
Low	May 15 to September 15	No Restrictions*
Medium	May 15 to September 15	No Restrictions*
High	May 15 to September 15	No Restrictions*

\*Noise or light production in the buffer is restricted if the activity would violate core area restriction on noise or light.

## 4.6 Protective Measures

**Summary:** This section provides a list of management practices to apply in the AEI.

- No wetland vegetation will be removed outside of developed areas.
- Appropriate erosion and runoff controls should be employed to reduce soil loss.
- Avoid unnecessary disturbance to vegetation (e.g., excessive parking areas or equipment storage areas, off-road travel, materials storage areas, crossing of streams or washes).
- Avoid removal of vegetation along drainage systems and stream channels.
- Avoid all vegetation removals not absolutely necessary.
- Appropriate erosion controls must be put in place and periodically checked throughout the life of any projects.
- All exposed soils must be revegetated as soon as feasible after disturbance to minimize erosion.

## 5.0 SOUTHWESTERN WILLOW FLYCATCHER AEI DESCRIPTION

### 5.1 Pajarito Canyon Southwestern Willow Flycatcher AEI

#### 5.1.1 Allowable Habitat Alteration in the Buffer Area

Since the purpose of the buffer area is to help maintain the core area as suitable Southwestern Willow Flycatcher habitat, habitat alteration in the buffer area will be extremely limited. There are two areas in which restrictions on habitat alteration are relaxed.

1. The mesa top of Mesita del Buey. This mesa top can be developed as long as restrictions on impacts to the core area are met.
2. Pajarito Road within the AEI. Mowing of upland vegetation is allowed up to 5 m (15 ft) from Pajarito Road, or to the fence, if the fence is within 9 m (30 ft). Vegetation must cover the roadsides to prevent sediment runoff, so mowed plants should be at least 5 cm (2 in) high. LANL biological resources SMEs encourage the growth of willow throughout the AEI—even the area along Pajarito Road—to enhance habitat. If, within this area, it is absolutely necessary to remove new willow growth (i.e., to improve visibility for human safety), LANL biological resources SMEs recommend that only willows at or above the level of the roadway surface be mowed.

## IV. AREA OF ENVIRONMENTAL INTEREST SITE PLAN FOR THE JEMEZ MOUNTAINS SALAMANDER

### 1.0 SPECIES DESCRIPTION—JEMEZ MOUNTAINS SALAMANDER

#### 1.1 Status

The Jemez Mountains Salamander (*Plethodon neomexicanus*) was listed in New Mexico as endangered under the Wildlife Conservation Act of New Mexico in 2006 (NMDGF 2006). In September 2012 the USFWS proposed the Jemez Mountains Salamander as endangered under the ESA (FR 2012) and the final listing as endangered was on 10 September 2013 (FR 2013a)

#### 1.2 General Biology

The Jemez Mountains Salamander is endemic to the Jemez Mountains of north-central New Mexico and is found in Los Alamos, Rio Arriba, and Sandoval counties (Stebbins and Rierner 1950). It is one of two endemic plethodontid salamanders that occur in New Mexico. It occurs predominantly at elevations between 2,130 to 3,430 m (6,988 to 11,254 ft) in mixed-conifer forest with greater than 50 percent canopy cover consisting mainly of Douglas fir (*Pseudotsuga menziesii* [Mirb.] Franco), blue spruce (*Picea pungens* Engelm.), Engelmann spruce (*Picea engelmannii* Parry ex Engelm.), white fir (*Abies concolor* [Gord. & Glend.] Lindl. ex Hildebr.), limber pine (*Pinus flexilis* James), ponderosa pine, and quaking aspen (*Populus tremuloides* Michx.). The ground surface in forest areas has (a) moderate to high volumes of large fallen trees and other woody debris, especially coniferous logs at least 25 cm (10 in) in diameter, particularly Douglas fir, which are in contact with the soil in varying stages of decay from freshly fallen to nearly fully decomposed; or (b) structural features, such as rocks, bark, and moss mats that provide

the species with food and cover. Underground habitat in forest or meadow areas contains interstitial spaces provided by (a) igneous rock with fractures or loose rocky soils, (b) rotted tree root channels, or (c) burrows of rodents or large invertebrates (Degenhardt et al. 1996; FR 2013b).

Plethodontid salamanders, which lack both lungs and gills, breathe through the mucous membranes in their mouth and throat and through their moist skin. The Jemez Mountains Salamander is completely terrestrial and does not use standing surface water for any life stage (FR 2012). Present in its habitat year-round, the Jemez Mountains Salamander spends most of its life underground, but can be found on the surface when conditions are warm and wet, approximately July through October. During this time, the Jemez Mountains Salamander can be found under rocks, bark, and moss mats and inside and under logs (Ramotnik 1986, Everett 2003). The Jemez Mountains Salamander eats invertebrates, including ants, mites, and beetles, and is thought to lay its eggs underground (FR 2013b).

### **1.3 Threats**

Principal threats to habitat include historical fire exclusion and suppression and severe wildland fires; forest composition and structure conversions; post-fire rehabilitation; forest and fire management; roads, trails, and habitat fragmentation; recreation; and disease (FR 2012).

## **2.0 IMPACT OF HUMAN ACTIVITIES**

### **2.1 Introduction**

Primary threats to the Jemez Mountains Salamander on LANL property are impacts to habitat quality or destruction of individual salamanders caused by LANL or Los Alamos County operations. Forested LANL property is also subject to impacts from severe wildland fire and wildfire suppression.

### **2.2 Impacts on Habitat Quality**

#### **2.2.1 Development**

Property at LANL varies from remote isolated land to heavily developed and/or industrialized. Most of the large developed areas at LANL are found on mesa tops, generally in the northern and western portion of LANL. The areas of Jemez Mountains Salamander habitat currently most impacted by development occur in Los Alamos Canyon. There is a secondary paved road (West Road) in the bottom of the canyon that exits the canyon on the north-facing slope through Jemez Mountains Salamander habitat. The canyon bottom also contains a recreational ice rink operated by Los Alamos County on an inholding owned by Los Alamos County. Development that reduces the occurrence of primary constituent elements of Jemez Mountains Salamander in core habitat would likely have a negative impact on the species.

#### **2.2.2 Pedestrians and Vehicles**

Many canyon bottoms and mesa tops at LANL have dirt roads traversing them. Most of these roads are gated; however, many of these roads are accessible to LANL employees and the public on foot or by bike. Some areas, such as Los Alamos Canyon, are frequently used by hikers and dog owners on active and historic trails which traverse the canyon, through Jemez Mountains

Salamander habitat in places. Maintenance of roads and trails in the habitat may have a negative impact on the species.

### **2.2.3 Severe Wildland Fire and Wildfire Suppression**

Stand-replacing wildfires significantly change forest composition and structure, and reduce canopy cover. Even ground wildfires may reduce the volume of fallen logs and large woody debris. Large areas of historic Jemez Mountains Salamander habitat have been impacted by stand-replacing wildfires associated with current forest stocking conditions, drought, and high temperatures (FR 2012). Forested habitats on LANL are also subject to severe wildland fires. To mitigate wildfire risks, some areas of LANL have been treated for fuels reduction and creation of fuel breaks both pre-emptively and during active wildfire suppression. Both wildfires and wildfire suppression activities can negatively impact the primary constituent elements of Jemez Mountains Salamander core habitat.

## **2.3 Impacts on Individual Salamanders**

### **2.3.1 Disease**

The amphibian pathogenic fungus *Batrachochytrium dendrobatidis* (Bd) was found in a wild-caught Jemez Mountains Salamander in 2003 (Cummer et al. 2005) on the east side of the species' range and again in another Jemez Mountains Salamander in 2010 on the west side of the species' range (FR 2012). Bd causes the disease chytridiomycosis, whereby the Bd fungus attacks keratin in amphibians. In adult amphibians, keratin primarily occurs in the skin. The symptoms of chytridiomycosis can include sloughing of skin, lethargy, morbidity, and death. Chytridiomycosis has been linked with worldwide amphibian declines, die-offs, and extinctions, possibly in association with climate change (Pounds et al. 2006). Chytridiomycosis may be a threat to the Jemez Mountains Salamander because this disease is a threat to many other species of amphibians and the pathogen has been detected in the Jemez Mountains Salamander (FR 2012).

As part of a cooperative study with the New Mexico Department of Game and Fish between 2007 and 2013, various amphibian species including the canyon tree frog (*Hyla arenicolor*), western chorus frog (*Pseudacris triseriata*), Woodhouse's toad (*Anaxyrus woodhousii*), tiger salamander (*Ambystoma tigrinum*), and Jemez Mountains Salamander were tested for Bd infection at LANL. To date, all sampling has been negative for Bd infection (Fresquez et al. 2013).

### **2.3.2 Destruction of Individual Salamanders**

During periods of the year when Jemez Mountains Salamander are on the soil surface, when conditions are warm and wet (generally July to October), they are vulnerable to injury and mortality from soil-disturbing activities, including operation of heavy equipment in core habitat. They also are at risk to be found and collected by people.

## **3.0 AEI GENERAL DESCRIPTION FOR JEMEZ MOUNTAINS SALAMANDER**

The AEI consists of two areas, a core area and a buffer area. The core habitat is defined as suitable habitat where the Jemez Mountains Salamander occurs or may occur at LANL. The core habitat consists of sections of north-facing slope that contain the required micro-habitat to support Jemez

Mountains Salamander. The buffer area is 100 m (328 ft) wide extending outward from the edge of the core area.

### 3.1 Method for Identifying a Jemez Mountains Salamander AEI

The first step in identifying potential Jemez Mountains Salamander at LANL was to use a GIS to model habitat. Early modeling efforts by Hathcock (2008) identified areas of potential habitat and that model was further refined. The following parameters were modeled in the GIS:

- Elevation: 7,000 ft (2,150 m) and above
- Slope: Greater than 20 degrees
- Aspect: north-facing +/- 20 degrees
- Land cover: Mixed conifer
- Land use: Undeveloped
- Modeled habitat is only selected if it is greater than five contiguous 30 × 30 m (98 × 98 ft) pixels in size

Once this habitat layer was developed, a second layer was modeled that examined the level of shade in the habitat, also known as an illumination index. Since the Jemez Mountains Salamander needs cool moist conditions, an illumination index model would further highlight areas where this habitat type may occur or further reinforce the areas selected by the GIS modeling. The illumination index describes the amount and extent of solar radiation reaching the Earth's surface at a given point. This takes into account the topography that may cast shadows. The illumination model was developed using the 5 m (16 ft) resolution digital elevation model hillshade and using the Surface toolbox in ArcToolbox (Environmental Science Research Institute, Redlands, California) using the highest height of the sun on June 21 at 1:00 pm, altitude of 74.4 and Azimuth of 178.4, when the sun would be at its maximum height. These procedures were based on work done by Reilly et al. (2009).

Once this modeling was complete, LANL biological resources SMEs performed field validation to verify the suitability of the modeled habitat. The goal was to verify that mixed conifer was still the dominant cover class in the selected area. The GIS analysis used data from a landcover map created by McKown et al. (2003). There have been changes in habitat since this landcover map was published from fire and extreme drought effects. Since LANL is on the extreme edge of Jemez Mountains Salamander lower elevational range, a key component in this part of its range is soil moisture content. During field validation, evidence of a moist mixed conifer habitat versus a dry mixed conifer habitat was noted. One of the key indicators used to delimit areas of moist versus dry mixed conifer during the field validation was the presence of white fir (Evans et al. 2011) combined with a high canopy cover.

Field validation of the model occurred in May 2013, or decisions were based on earlier field visits to the sites from other projects. Each field validation consisted of LANL biological resources SMEs walking down all of the modeled habitat polygons to look for the presence of indicator features. If a polygon of modeled habitat contained white fir, indicating a moist wet conifer type habitat, a high canopy closure, and other signs of high habitat quality such as dead logs, moss or

other areas that could be used as cover by the Jemez Mountains Salamander, then the polygon was marked for retention in the final core habitat. Polygons that did not contain the necessary habitat requirements were omitted.

After the field validation was complete, the final core habitat boundaries that LANL would recognize were hand digitized using ArcGIS (Environmental Science Research Institute, Redlands, California) by LANL biological resources SMEs in and around the validated modeled polygon and areas between polygons if appropriate. The final identified core habitat at LANL occurs on the north-facing slopes of canyons. Toward the rim of the canyon the core boundaries end where the mixed conifer ends. In the canyon bottoms the core boundary extends to the edge of the stream channel. The upstream and downstream core boundaries end where the mixed conifer ends. A buffer habitat was extended around the core to a distance of 100 m (328 ft) outward. The LANL Fenton Hill satellite facility in the Jemez Mountains off of New Mexico Highway 126 is on land leased to DOE by the Santa Fe National Forest. The entire footprint is considered to be developed core habitat for the Jemez Mountains Salamander, since proposed critical habitat is adjacent to the facility.

### **3.2 Location and Number of Jemez Mountains Salamander AEIs**

The identified Jemez Mountains Salamander core habitats were grouped by canyon system into AEIs, which contain contiguous and noncontiguous habitat areas. The largest contiguous section of habitat at LANL is in Los Alamos Canyon. There are two noncontiguous areas of habitat in Two-mile Canyon, four in Pajarito Canyon, one contiguous area in Cañon de Valle, and the entire Fenton Hill facility.

## **4.0 AEI MANAGEMENT**

### **4.1 Overview**

This AEI management section provides guidelines for LANL operations to reduce or eliminate the threats to the Jemez Mountains Salamander from habitat alterations that reduce habitat quality. Habitat alterations are considered for all AEIs and for both core and buffer areas. Developed areas that have ongoing baseline levels of activities and are not suitable habitat for Jemez Mountains Salamander have different restrictions than undeveloped core or buffer areas. AEIs for different species may overlap, and an activity must meet the guidelines of all applicable site plans to be allowable. Protective measures are described as management practices that should be followed when working in AEIs.

### **4.2 Definition and Role of Occupancy in AEI Management**

Occupancy simply refers to whether or not an AEI is occupied by the Jemez Mountains Salamander. The Los Alamos Canyon AEI is known to be occupied based on past surveys. Surveys for the Jemez Mountains Salamander are known to have a very low detection rate for occupied areas, so at LANL all AEIs are assumed to be occupied at all times. If needed, site-specific surveys will be conducted by federally permitted LANL biological resources SMEs.

### **4.3 Definition and Role of Developed Areas in AEI Management**

Developed areas include all building structures, paved roads, improved gravel roads, and paved and unpaved parking lots. The majority of Jemez Mountains Salamander core habitat is in undeveloped areas, except for the satellite facility at Fenton Hill and a small amount of habitat in Los Alamos Canyon where West Road crosses the habitat. Generally, developed areas will not have restrictions; however, some of the undeveloped sections within the footprint of Fenton Hill may have restrictions because they may contain Jemez Mountains Salamanders when they move to the surface between July and October. Any project that occurs within developed core habitat will be evaluated by LANL biological resources SMEs for ESA compliance.

### **4.4 General Description of Core and Buffer Areas and Allowable Area Development**

The purpose of buffer areas is to protect core areas from habitat degradation. The current levels of development in buffer and core areas represent baseline conditions for this site plan. No further development is allowed in the core area under the guidelines of this site plan. Any development in a buffer area will be reviewed by LANL biological resources SMEs to ensure that there are no impacts to the core habitat.

### **4.5 Emergency Actions**

If safety and/or property are immediately threatened by something occurring within an AEI (for example, wildfire, water line breakage, etc.) please contact a LANL biological resources SME (1-505-665-3366) as soon as possible. If the emergency occurs outside of regular business hours, contact the Emergency Management Office (1-505-667-6211). This office will then communicate with the appropriate LANL personnel.

### **4.6 Introduction to AEI Management Guidelines**

Section 4.7 provides the guidelines for habitat alterations and allowable activities in AEI core and buffer areas. It describes what and where habitat alterations are allowed under the guidelines of this site plan. If an activity does not meet the restrictions given in the guidelines, the activity must be individually reviewed for ESA compliance. This site plan only provides guidelines for the Jemez Mountains Salamander AEIs. If an activity is desired in an area with overlapping AEIs, all applicable site plans must be consulted. AEI maps show the location of all AEIs in an area. LANL biological resources SMEs are always available to help interpret site plans and answer questions (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

### **4.7 Definition of and Restrictions on Habitat Alterations**

#### **4.7.1 Definition of Habitat Alterations**

Habitat alteration includes any action that alters the soil structure, vegetative components necessary to the species, water quality, or hydrology in undeveloped areas of an AEI. An actual activity may take place outside of the AEI and will be considered habitat alteration if consequences of the activity have effects inside the AEI core. Habitat alterations would also include soil pits for soil samples deeper than 15 cm (6 in) using either hand or mechanized augers. Any activity that might disturb the soil will need to be reviewed by LANL biological resources SMEs.

The habitat components most important to the Jemez Mountains Salamander include soil structure and vegetative structure. The forest structure within an area designated as a Jemez Mountains Salamander AEI is important because it provides the necessary moist, cool microclimate.

#### ***4.7.2 Fuels Management Practices to Reduce Wildfire Risk***

One of the primary threats to the Jemez Mountains Salamander is wildfire (FR 2012), but they also require habitat with a high canopy cover which makes fuels reduction challenging. Within undeveloped core areas, thinning trees to a level of 80 percent canopy cover or higher is approved. Trees may not be thinned below 80 percent canopy cover without further ESA review by LANL biological resources SMEs. Large logs on the ground should be left in place and not chipped. Understory thinning that does not reduce total canopy cover below 80 percent is permitted. Large trees that are felled should be left as large logs on the ground. Smaller trees and understory shrubs that may be thinned should be dispersed and left on-site to aid in soil moisture retention. Thinning activities should not occur during the rainy season between July to October (or when freezing temperatures begin, whichever comes first) when the Jemez Mountains Salamander is found on the surface.

In buffer areas, thinning of trees can occur to the current LANL-approved prescription level (LAAO 2000). LANL biological resources SMEs are available to provide guidance and mark trees for thinning (<http://int.lanl.gov/environment/bio/controls/index.shtml>).

#### ***4.7.3 Utility Corridors***

Habitat alterations such as cutting down trees that threaten power lines are allowed within 8 m (26 ft) of either side of an existing electrical utility line at LANL under existing guidelines and engineering controls (Hathcock 2013). This level is approved in all areas of an AEI. New utility lines and utility lines requiring clearance of a right-of-way greater than 16 m (52 ft) total in core habitat must be individually reviewed for ESA compliance.

#### ***4.7.4 Restrictions on Habitat Alterations***

Habitat alterations other than the fuels management practices and utility corridor maintenance described above are not allowed in undeveloped core areas under the guidelines of this site plan. If a project or activity is planned that would alter habitat in an undeveloped core area, it must be individually evaluated for ESA compliance. Habitat alterations in buffer areas must be reviewed by LANL biological resources SMEs to ensure that there are no impacts to core habitat.

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## APPENDIX

Table A-1. The percentage of each food type found in Mexican Spotted Owl food remains at LANL

Species	Relative Abundance
<i>Neotoma</i> spp.	26.22
<i>Peromyscus</i> spp.	10.22
<i>Microtus</i> spp.	4.44
Gophers	4.89
Bats	5.78
Chipmunks	0.89
Rabbits	12.89
Shrews	1.33
Small Mammal	1.33
Medium Mammal	1.78
Medium Bird	8.00
Small Bird	4.89
Nocturnal Birds	0.89
Reptiles	4.89
Arthropods	11.56

Table A-2. Preliminary light measurements in ftc for Mexican Spotted Owl site plan

		Distance from Source			
	Source (street light)	5 m	10 m	15 m	20 m
ftc	3.70	2.28	1.20	0.62	0.32

K-2, U.S. Fish & Wildlife Concurrence  
(Biological Assessment of Jemez Mtn Salamander Site Plan)



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office  
2105 Osuna NE  
Albuquerque, New Mexico 87113  
Phone: (505) 346-2525 Fax: (505) 346-2542

December 9, 2013

Cons. #02ENNM00-2014-I-0014

Geoffrey L. Beausoleil, Acting Manager  
National Nuclear Security Administration, Los Alamos Field Office  
Department of Energy  
Los Alamos, New Mexico 87544

Dear Mr. Beausoleil:

Thank you for your biological assessment entitled, "Biological Assessment of the Effects of Implementing the Jemez Mountains Salamander Site Plan on Federally Listed Threatened and Endangered Species at Los Alamos National Laboratory" (BA); the request for informal consultation and conferencing received on July 25, 2013 and supplemental information supplied in the "Jemez Mountains Salamander (*Plethodon neomexicanus*) Los Alamos National Laboratory (LANL) Site Plan" (Site Plan); and emails dated November 19 and December 3, 2013. The Department of Energy (DOE) requested concurrence with the determination of effects for the endangered Jemez Mountains salamander (*Plethodon neomexicanus*) (salamander) pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. § 1531 *et seq.*). Your proposed action consists of implementing the Site Plan, and includes of the incorporation of this Site Plan into LANL's Habitat Management Plan (HMP). The HMP was consulted upon in 1999 (Consultation #2-22-981-336) as the primary mechanism to ensure compliance with the ESA at LANL. The actions described in the Site Plan and analyzed in the BA, and supplemental emails are hereby incorporated by reference. You determined that implementing the Site Plan "may affect, is not likely to adversely affect" the salamander, and includes placing restrictions on certain types of work in areas identified as core habitat for the salamander on LANL property with the purpose of ensuring that effects to the salamander from those actions identified in the Site Plan are insignificant and discountable.

The Site Plan does not include any areas within designated salamander critical habitat, indicating that no critical habitat will be affected. The Site Plan has modeled and field validated the model to identify the areas on LANL property with the highest potential to be occupied by salamanders based on habitat features for the salamander. Each area identified by the modeling is termed "Area of Environmental Interest" (AEI) and consists of a "core area" and a "buffer area". The core area habitat is defined as suitable habitat where the salamander occurs or may occur at LANL. The core area habitat consists of sections of north-facing slope that contain the required

micro-habitat to support salamanders. The buffer area is 328 feet (100 meters) wide extending outward from the edge of the core area. Only the Los Alamos Canyon AEI is known to be occupied based on surveys. Surveys for the salamander are known to have a very low detection rate for occupied areas and DOE has assumed that all AEIs at LANL are occupied at all times by the salamander.

Within the Site Plan, DOE has assessed activities that could cause habitat alteration and includes any action that alters the soil structure, vegetative components necessary to the species, water quality, or hydrology in undeveloped areas of an AEI. If an activity were to take place outside of the AEI the activity will be assessed if it will have effects inside the AEI core. Within the core areas, only activities specified within the Site Plan and those that have no effect in the core areas (e.g. no habitat alterations or effects within the core areas) will be conducted without further consultation with the Service. Habitat alterations also include soil pits for soil samples deeper than 6 inches (15.2 centimeters) using either hand or mechanized augers. Within the Site Plan, DOE is proposing fuels management practices to reduce wildfire risk and maintenance of utility corridors within the AEIs. The likelihood that salamanders may be affected by the actions in the Site Plan is very low. To ensure that effects to the salamander are insignificant and discountable, the Site Plan incorporates the following conservation measures as restrictions to the identified work:

#### Fuels Management Practices to Reduce Wildfire Risk

- a. Within undeveloped core areas, thinning trees to a level of 80% canopy cover or higher may occur; tree thinning below 80% canopy cover is not part of the action under this consultation.
- b. Large logs on the ground will be left in place and not chipped.
- c. Large trees that are felled will be left as large logs on the ground
- d. When appropriate, smaller trees and understory shrubs that may be thinned will be dispersed and left on-site to aid in soil moisture retention.
- e. In buffer areas, thinning of trees may occur to the current LANL-approved prescription level; clear-cutting will not occur.
- f. Thinning activities will not occur during the rainy season when salamanders are surface active, between July 1 – October 31. Thinning activities may occur earlier in October if freezing temperatures are present.
- g. In the unlikely event that a salamander is observed surface active during thinning activities, all activities shall cease, and the Service will be notified.

#### Utility Corridors

- a. Cutting trees that threaten power lines may occur within 26 feet (8 meters) of either side of an existing utility line at LANL
- b. New utility lines and utility lines requiring clearance of a right-of-way greater than 52 feet (16 meters) total in core habitat is not part of the action under this consultation.


Habitat alterations other than the fuels management practices and utility corridor maintenance described above will not occur in undeveloped core areas under the guidelines of the Site Plan or this consultation. The Service concurs with DOE's determination regarding the salamander for the following reasons:

Within the Site Plan, DOE has placed the above detailed restrictions to ensure that any effects to the salamander and its habitat remain insignificant and discountable. Canopy cover will remain at 80% or greater in undeveloped core areas and fire management actions will occur outside of the salamander surface activity period. Maintaining utility line corridors in areas with existing infrastructure (the utility lines) by removing individual hazard trees is not expected to have any measurable effect on salamanders or their potential habitat. Consequently, we concur that potential effects to the salamander from the proposed action will be insignificant and discountable.

This concludes section 7 consultation regarding the proposed action. If monitoring or other information results in modification or the inability to complete all aspects of the proposed action, consultation should be reinitiated. Please contact the Service if: 1) future surveys detect listed, proposed or candidate species in habitats where they have not been previously observed; 2) the proposed action changes or new information reveals effects of the proposal to listed species that have not been considered in this analysis; or 3) a new species is listed or critical habitat designated that may be affected by the action.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. In future correspondence regarding this project, please refer to consultation #02ENNM00-2014-I-0014. If you have any questions, please contact Michelle Christman of my staff at (505) 761-4715.

Sincerely,

  
Wally Murphy  
Field Supervisor

cc:

Wildlife Biologist, Cuba Ranger District, Cuba, NM (Attn: Ramon Borrego)  
Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico

## K-3, TA-3 and TA-60 IPac Trust Resource Report

# MSGP

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## *IPaC Trust Resource Report*

Generated July 27, 2015 07:29 PM MDT



US Fish &amp; Wildlife Service

# IPaC Trust Resource Report



## Project Description

NAME

MSGP

PROJECT CODE

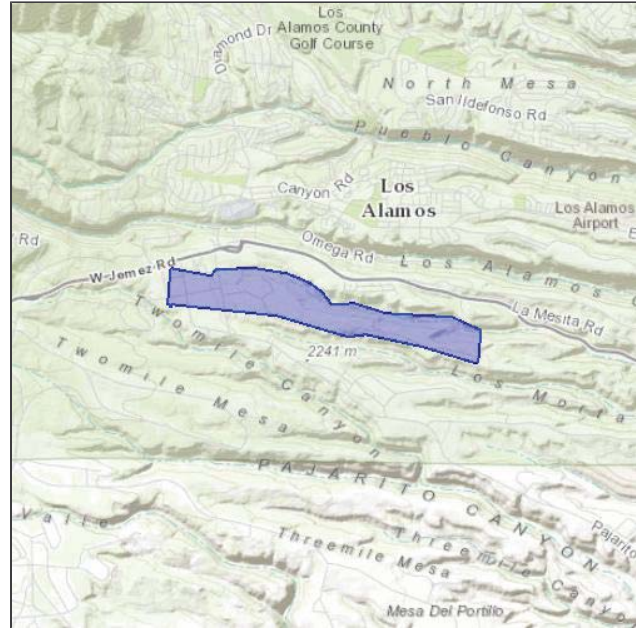
LXATM-TI5EJ-BAJEQ-3NC5E-SOGYTE

LOCATION

Los Alamos County, New Mexico

DESCRIPTION

Facilities that discharge to Sandia Canyon within TA-3 and TA-60. Industrial facilities subject to the MSGP. July, 2015.



## U.S. Fish & Wildlife Contact Information

Species in this report are managed by:

### New Mexico Ecological Services Field Office

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

(505) 346-2525

# Endangered Species

Proposed, candidate, threatened, and endangered species that are managed by the [Endangered Species Program](#) and should be considered as part of an effect analysis for this project.

This unofficial species list is for informational purposes only and does not fulfill the requirements under [Section 7](#) of the Endangered Species Act, which states that Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action." This requirement applies to projects which are conducted, permitted or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can be obtained by returning to this project on the IPaC website and requesting an Official Species List from the regulatory documents section.

## Amphibians

### Jemez Mountains Salamander *Plethodon neomexicanus*

Endangered

#### CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=D019>

## Birds

### Mexican Spotted Owl *Strix occidentalis lucida*

Threatened

#### CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B074>

### Southwestern Willow Flycatcher *Empidonax traillii extimus*

Endangered

#### CRITICAL HABITAT

There is **final** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B094>

### Yellow-billed Cuckoo *Coccyzus americanus*

Threatened

#### CRITICAL HABITAT

There is **proposed** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B06R>

## Mammals

### New Mexico Meadow Jumping Mouse *Zapus hudsonius luteus*

Endangered

#### CRITICAL HABITAT

There is **proposed** critical habitat designated for this species.

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=A0BX>

## Critical Habitats

Potential effects to critical habitat(s) within the project area must be analyzed along with the endangered species themselves.

There is no critical habitat within this project area

# Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the Bald and Golden Eagle Protection Act.

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service ([1](#)). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

You are responsible for complying with the appropriate regulations for the protection of birds as part of this project. This involves analyzing potential impacts and implementing appropriate conservation measures for all project activities.

## **Bald Eagle** *Haliaeetus leucocephalus*

Season: Wintering

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B008>

**Bird of conservation concern**

## **Bendire's Thrasher** *Toxostoma bendirei*

Season: Breeding

**Bird of conservation concern**

## **Brewer's Sparrow** *Spizella breweri*

Season: Migrating

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0HA>

**Bird of conservation concern**

## **Brown-capped Rosy-finch** *Leucosticte australis*

Season: Wintering

**Bird of conservation concern**

## **Burrowing Owl** *Athene cunicularia*

Season: Breeding

**Bird of conservation concern**

## **Cassin's Finch** *Carpodacus cassinii*

Year-round

**Bird of conservation concern**

## **Flammulated Owl** *Otus flammeolus*

Season: Breeding

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0DK>

**Bird of conservation concern**

## **Fox Sparrow** *Passerella iliaca*

Season: Wintering

**Bird of conservation concern**

## **Golden Eagle** *Aquila chrysaetos*

Year-round

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0DV>

**Bird of conservation concern**

## **Grace's Warbler** *Dendroica graciae*

Season: Breeding

**Bird of conservation concern**

## **Juniper Titmouse** *Baeolophus ridgwayi*

Year-round

**Bird of conservation concern**

## **Lewis's Woodpecker** *Melanerpes lewis*

Year-round

**Bird of conservation concern**

## **Loggerhead Shrike** *Lanius ludovicianus*

Year-round

<https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B0FY>

**Bird of conservation concern**

<b>Mountain Plover</b> Charadrius montanus	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B078">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B078</a>	
<b>Olive-sided Flycatcher</b> Contopus cooperi	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0AN">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0AN</a>	
<b>Peregrine Falcon</b> Falco peregrinus	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FU">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FU</a>	
<b>Pinyon Jay</b> Gymnorhinus cyanocephalus	<b>Bird of conservation concern</b>
Year-round	
<b>Prairie Falcon</b> Falco mexicanus	<b>Bird of conservation concern</b>
Year-round <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0ER">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0ER</a>	
<b>Swainson's Hawk</b> Buteo swainsoni	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B070">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B070</a>	
<b>Williamson's Sapsucker</b> Sphyrapicus thyroideus	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FX">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0FX</a>	
<b>Willow Flycatcher</b> Empidonax traillii	<b>Bird of conservation concern</b>
Season: Breeding <a href="https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F6">https://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B0F6</a>	

## Refuges

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. If your project overlaps or otherwise impacts a Refuge, please contact that Refuge to discuss the authorization process.

There are no refuges within this project area

# Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes.

Project proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

## DATA LIMITATIONS

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

## DATA EXCLUSIONS

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

## DATA PRECAUTIONS

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

There are no wetlands identified in this project area

## **APPENDIX L**

### **Procedures Referenced in the SWPPP**

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